

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION Nos.3839 and 3842 of 2015

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COMMON ORDER :

These two applications are filed by the self-same accused of the respective criminal cases pending on the file of III Special Metropolitan Magistrate, Hyderabad as C.C. No.83 of 2013 and 86 of 2013 to transfer the cases to the Court having jurisdiction in Vijayawada City saying the cheques issued and dishonoured were at Vijayawada that alone constitutes jurisdiction as laid down by the expression of the Apex Court in ***Dashrath Rupsingh Rathod V. State of Maharashtra***.

2) Head the learned counsel for the petitioner and the 1st respondent State represented by the Public Prosecutor and the 2nd respondent-Complainant respectively and perused the material on record and including the impugned order passed by the learned Magistrate in dismissing the respective applications with such prayer covered by CrI.M.P.No.1724 of 2014 and 1727 of 2014 respectively dated 17.10.2014. As rightly observed by the learned Magistrate in the respective cases, after chief-examination of P.W-1 filed subsequent to the questioning of accused under Section 251 Cr.P.C, that was taken on file to say the proceedings commenced as contemplated by Section 145(2) of the Negotiable Instruments Act, 1881 apart from the matters transferred from Chandigarh by the order of the Apex Court to try along with other pending matters to Hyderabad by conferring jurisdiction, thereby apart from the trial commenced confers jurisdiction by ***Dashrath Rupsingh*** supra particularly from para No.20 as observed by the learned Magistrate and confirmed by this Court respectively in similar petitions in CrI.P.No.204 and 207 of 2015 dated 03.06.2015. Thus, these petitions are also liable to be dismissed for no grounds.

3) Therefore, both the petitions are dismissed.

4) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.04th June, 2015

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