

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.43 OF 2016

ORDER:

This petition is filed by the petitioner-accused seeking to transfer C.C.No.482 of 2013 on the file of the Judicial First Class Magistrate, Jaggaiahpet, Krishna District to the Court of the Judicial First Class Magistrate, Suryapet, Nalgonda District.

Heard.

The petitioner has sought for transfer of the above C.C. on the ground that the 2nd respondent-complainant is threatening him. But no record or evidence was placed before this Court to substantiate the same. The petitioner is alleged to have committed the offence punishable under Section 138 of the Negotiable Instruments Act. The above C.C. pertains to the year 2013 and it has been coming up for cross-examination of P.W.1. Considering the facts and circumstances of the case and the stage of the case, this Court is not inclined to transfer the above C.C.

At this stage, it is submitted by the learned Counsel for the petitioner that the petitioner is afraid of the threats of the petitioner and therefore, the presence of the petitioner before the trial Court may be dispensed with.

In view of the request made by the learned Counsel for the petitioner, the presence of the petitioner before the trial Court is dispensed with, except on the dates when his presence is insisted by the trial Court. It is directed that the petitioner shall be represented by his Counsel before the trial Court on all hearing dates.

With the above direction, the Transfer Criminal Petition is disposed of. Consequently, the Miscellaneous Petitions pending,

if any, shall stand closed.

JUSTICE RAJA ELANGO

Date: 15.02.2016

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