

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Tr.Crl.P.No.128 of 2016

ORDER

This petition under Section 407 Cr.P.C., is filed by the petitioner/accused seeking to withdraw C.C.No.18 of 2014 on the file of Special Judge for SPE & ACB Cases-cum-II Additional District and Sessions Judge, Nellore, and transfer the same to any other Court having jurisdiction of ACB cases.

2. The petitioner/accused is involved in C.C.No.18 of 2014 on the file of Special Judge for SPE & ACB Cases-cum-II Additional District and Sessions Judge, Nellore, registered for the offences punishable under Section 7, 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988. Petitioner states that in the said case, trial was concluded and the matter was posted for examination under Section 313 Cr.P.C., at that stage, on the application filed by him, the trial Court framed an additional charge against him. Thereafter, the petitioner filed a petition seeking to reopen the case and allow him to examine his defense witnesses, but the same was dismissed. Challenging the same, the petitioner filed Crl.P.No.3663 of 2016 before this Court and the same is pending. The grievance of the petitioner is that the Presiding Officer of the trial Court has been pressurizing him to advance arguments without granting time and also threatening him from adjudicating the matter. Hence, he filed the present petition.

3. Heard and perused the material on record.

4. Considering the facts and circumstances of the case and in view of pendency of Crl.P.No.3663 of 2016 before this Court, without going into the merits of the matter, the trial Court is directed not to

proceed with the case in C.C.No.18 of 2014 till disposal of Crl.P.No.3663 of 2016.

5. With the above direction, the Transfer Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition shall stand closed.

JUSTICE RAJA ELANGO

26th April, 2016

Note:

Registry is directed to post Crl.P.No.3663 of 2016 on 10.06.2016

(Bo)

sj