

THE HONOURABLE SRI JUSTICE RAJA ELANGO

TRANSFER CRIMINAL PETITION No.69 of 2016

ORDER:

This Transfer Criminal Petition is filed by the petitioner-accused seeking to transfer CC No.414 of 2015, pending on the file of I-Additional Judicial Magistrate of First Class, Proddatur to any Court in Hyderabad District having competent jurisdiction to try the said case.

The petitioner is alleged to have committed the offences punishable under Section 138 of the Negotiable Instruments Act. It is alleged that the petitioner due an amount of Rs.5,00,000/- to the de facto complainant and he issued a cheque for the said amount, and when the same was deposited in Karur Vysya Bank at Proddatur by the de facto complainant, the same was returned unpaid with an endorsement 'funds insufficient.'

After perusing the material available on record, this Court is not inclined to transfer the case in view of the introduction of a new ordinance to the Act by the Central Government to the effect that the trial should be taken in the Court, where the case is pending.

At this stage, the learned Counsel for the petitioner prayed for dispensing with the presence of the petitioner before the trial Court.

In view of the above submission, the presence of the petitioner before the trial Court is dispensed with except on the dates on which the trial Judge insists for his presence. The petitioner is directed to be represented through a Counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 11, 2016.

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