

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.53 OF 2016

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ORDER:
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This Transfer Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed to withdraw CrI.A.No.277 of 2015 from the file of the Metropolitan Sessions Judge-cum-II Additional District and Sessions Judge at Vijayawada, Krishna District and transfer the same to any competent Court at Hyderabad.

2. Heard and perused the material available on record.
3. Learned counsel for the petitioners contended that the Court of Metropolitan Sessions Judge-cum-II Additional District and Sessions Judge at Vijayawada, which is hearing the appeal, is insisting for the presence of the petitioners on each and every adjournment and as petitioner Nos.2 and 3 are suffering from health problems, they are unable to attend before the Court below.
4. Considering the facts and circumstances of the case, this Court is of the view that the ground raised by the learned counsel for the petitioners is not a sufficient ground to consider their case for transfer of the appeal. Hence, this Transfer Criminal Petition is disposed of with the following direction:

The learned Metropolitan Sessions Judge-cum-II Additional District and Sessions Judge at Vijayawada is directed not to insist for the presence of the petitioners before the Court below except on the date of judgment. The petitioners are directed to represent before the Court below through their counsel and seek for early disposal of the appeal.

5. Miscellaneous petitions pending, if any, in this Transfer Criminal

Petition shall stand closed.

JUSTICE RAJA ELANGO

22.3.2016

AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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