

THE HONOURABLE SRI JUSTICE RAJA ELANGO

TRANSFER CRIMINAL PETITION No.142 OF 2016

ORDER:

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The petitioners-accused preferred the present Transfer Criminal Petition by invoking the provision under Section 407 of the Code of Criminal Procedure (in short 'Cr.P.C.') seeking to transfer CC No.36 of 2016 pending on the file of VI Special Magistrate, Cyberabad at Kukatpally, Miyapur to any other competent Court in Hyderabad District.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner is residing at Saroornagar and he is suffering with acute kidney dis-function and the doctors advised complete bed rest to him and since the Court, where the case is pending, is about 40 kilometers away from the place of the petitioner, he could not able to attend the Court regularly and hence, he prays to transfer the case to any of the Court in Hyderabad.

The petitioner is alleged to have committed the offence punishable under Section 138 of the Negotiable Instruments Act.

Considering the facts and circumstances of the case and also taking into consideration the submission of the learned counsel for the petitioner, this Court is inclined to pass the following order:

The presence of the petitioner is dispensed with before the trial Court except on the dates on which his presence is specifically required by the Court below. The petitioner shall be properly represented through his counsel before the trial Court.

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

RAJA ELANGO, J

April 29, 2016.

KTL