

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

TRANSFER CRIMINAL PETITION No. 238 OF 2010

ORDER:

The present Transfer Criminal Petition is filed under Section 407 Cr.P.C. seeking to withdraw Sessions Case No.110 of 2005 from the file of the II Additional District and Sessions Judge (Fast Track Court), Parvathipuram, Vizianagaram District and transfer the same to any competent Court at Vizianagaram.

2. Heard both sides.

3. On a report lodged by respondent No.1, police registered a case and filed charge sheet, which, on committal, came to be numbered as Sessions Case No.110 of 2005 on the file of the II Additional District and Sessions Judge (Fast Track Court), Parvathipuram against the petitioners for the offences punishable under Sections 147, 148, 302, 326, 324, 323, 448, 427 read with 34, 149 and 114 IPC, and on the report lodged by petitioner No.1, a counter case came to be registered against the respondents and on filing of charge sheet, the same was numbered as C.C. No.29 of 2005 on the file of the Judicial Magistrate of First Class, Khotavalasa, which was later transferred to the Sessions Court and renumbered as C.C. No.1 of 2007, to be along with the Sessions Case.

4. Though various grounds are urged by the learned counsel for the petitioners, she states that the petitioners, who are residents of Boddam Village, Vepana Mandal, Vizianagaram District, are agricultural coolies and it is difficult for them to travel all the way from their village to Parvathipuram on every date of adjournment of the case, and hence, restricts her prayer seeking a direction to the trial Court to dispose of the case and counter case at an early date.

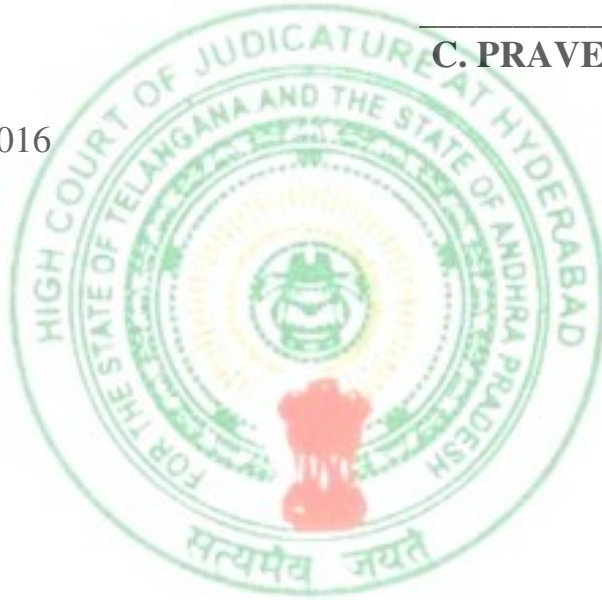
3. Having regard to the circumstances of the case and in view of the fact that the cases are of the year 2005, the learned II Additional District and Sessions Judge (Fast Track Court), Parvathipuram is directed to take all possible steps to dispose of Sessions Case No.110 of 2005 and C.C. No.1 of 2007 as early as possible, preferably within a period of three (3) months from the date of receipt of a copy of this Order.

4. Accordingly, the Transfer Criminal Petition is disposed of.

As a sequel thereto, Miscellaneous Petitions pending if any in this Transfer Criminal Petition, shall stand closed.

C. PRAVEEN KUMAR, J

Date: 22.09.2016
DRK



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22.09.2016