

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER CRIMINAL PETITION No.188 of 2017

ORDER :

This petition is filed by the petitioners/ A1 and A2 under Section 407 Cr.P.C., seeking transfer of C.C.No.11 of 2016 on the file of the I Special Magistrate at Hasthinapuram to any other special Magistrate Court at Hasthinapuram.

Heard both sides and perused the grounds urged in the quash petition and other material on record.

Merely because for the contemptuous behaviour of the 2nd petitioner/ A2 before the trial Court, which got the power, pursuant to which taken cognizance to initiate proceedings for the offence under Section 228 I.P.C. among other offences, that itself is not a ground for transfer of the pending case by that Court to any Court. However, it is left open for the trial Court, by virtue of this order, to address the Court of Sessions to transfer that case to any other Court with a direction to the Court, to which the matter is being transferred to dispose of the same by day-to-day proceedings.

With the above directions and observations, the Transfer Criminal Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 18.09.2017

Note:
Issue C.C. tomorrow.
B/o.
pab

