

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

TRANSFER CRIMINAL PETITION Nos.214, 215 and 216 of 2017

COMMON ORDER :

Heard the learned counsel for the respective petitioners and the learned Public Prosecutor representing the State before ordering notice to the 2nd respondents/ de facto complainants in the respective Criminal Petitions.

The petitioners i.e sole accused in Tr.Crl.P.No.214 of 2017 and Tr.Crl.P.No.216 of 2017 in respect of C.C.Nos.480 and 479 of 2016 and he representing the entity-M/ s.Vibha Agrotech Limited in Tr.Crl.P.No.215 of 2017 in respect of C.C.No.403 of 2016, which are pending on the file of the Additional Judicial First Class Magistrate, Gadwal, for the offence punishable under Section 138 of the Negotiable Instruments Act (for short 'the Act'), which is an outcome of the private complaint of the respective 2nd respondents/ complainants, are seeking to transfer the said C.Cs. to any other Criminal Court at Hyderabad, stating that there is a life threat and it is difficult to attend the Court.

A perusal of the material on records shows that there is nothing to consider the transfer of the said C.Cs. So far as the contention of the life threat is concerned, there is no basis for the same and remedy is left open to the petitioners to apply to

the Police concerned, to provide any protection if at all required by virtue of this order. So far as the difficulty expressed to attend the Court, if at all for day to day hearing of the three cases, unable to attend the trial Court, the petitioners are at liberty file an application under Section 205 Cr.P.C. to represent through special vakalat holder and the trial Court shall hear and consider the same with necessary conditions of personal appearance as and when required.

Accordingly, all the Transfer Criminal Petitions are disposed of.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Date:12-10-2017

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Dr. B. SIVA SANKARA RAO, J

