

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

TRANSFER CRIMINAL PETITION No.201 OF 2017

ORDER:

Heard learned counsel for the petitioner of C.C.No.157 of 2016, pending on the file of Additional Judicial Magistrate of First Class, Rayachoty, taken cognizance for the offence punishable under Section 138 N.I.Act and also heard the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent.

2. Perused the grounds urged in the petition seeking to transfer the above said calendar case from Rayachoty to Erramanjil, Hyderabad, saying there is another case on the file of XV Special Magistrate, Erramanjil, in C.C.No.286 of 2017 filed by one B.Vijaya Bhasker Reddy and with the version that the complainant of C.C.No.157 of 2016 of Rayachoty is set up by said Vijaya Bhasker Reddy. It is only one of the available defenses of the accused if at all, that itself is not a ground to transfer even also on the ground of he is 66 years old and suffering from B.P. and Sugar, if at all from that given liberty while disposing of the application for no grounds to transfer, to file application under Section 205 Cr.P.C. before the learned Magistrate to consider to represent through Special Vakalat Holder with necessary conditions of personal appearance as and when required.

3. Accordingly and with the above directions, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO,J

03.10.2017
SS

