

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.11272 OF 2017

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") seeking a direction to the 3rd respondent to file final report in Crime No.91 of 2013 of Kota Police Station, SPSR Nellore District before the CBCID Court authorized to try the case.

Learned counsel for the petitioner requested to transfer the matter take back the charge sheet on file before the Court but the learned Public Prosecutor submitted that no Court is designated for trial of cases pertaining to CBCID Department and all courts are competent.

In the absence of designating any Court specifically for trial of cases pertaining to CBCID, no direction can be issued. If the Judicial Magistrate of First Class, Kota, before whom that charge sheet is filed, is not competent to try the offence, the Court may follow procedure for return of charge sheet to transfer before the competent Court and follow necessary procedure under Section 209 Cr.P.C.

With the above observation, the Criminal Petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Dt.21.11.2017
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Date:21.11.2017

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