

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

TRANSFER CRIMINAL PETITION No.229 of 2017

ORDER:

Heard Sri G.Narender Raj, learned counsel for the petitioner, and Sri K.Surender, Special Public Prosecutor for CBI cases, for the respondents.

The petitioners are arraigned as accused Nos.1 and 7, respectively, in C.C.No.2 of 2014 pending on the file of the Metropolitan Sessions Judge-cum-Special Court under Prevention of Money Laundering Act, 2002, at Nampally, Hyderabad.

Learned counsel for the petitioner would submit that against the very same petitioners, even C.C.No.9 of 2011 was registered, wherein they are arraigned as Accused Nos.1 and 2, respectively, and the same is pending on the file of the Special Judge for CBI Cases at Hyderabad. It is also his submission that for convenience sake, C.C.No.9 of 2011 pending on the file of the Special Judge for CBI Cases at Hyderabad, may be withdrawn and transferred to the learned Metropolitan Sessions Judge at Hyderabad, to try along with C.C.No.2 of 2014, as the fact-situation in both the cases is almost identical.

Learned Special Public Prosecutor would submit that the request herein cannot be acceded to for the reason that by notification dated 05.02.2016, issued by the Ministry of Finance (Department of

Revenue), Government of India, the Court of Metropolitan Sessions Judge is designated as Special Court for trial of offences falling under the provisions of the Prevention of Money-laundering Act, 2002, but it is not designated as a court to deal with the offences where the investigation was held by Central Bureau of Investigation (CBI). He would submit that there is special court designated as Principal Special Judge for trial of CBI cases and Additional Judges for CBI cases also at Hyderabad, to try the offences where the CBI conducts investigation.

When Metropolitan Sessions Judge, Hyderabad, is not designated as Special Court to try the offences where the investigation is done by the CBI, certainly, the request made herein cannot be acceded to.

Therefore, the present request is refused, dismissing the Transfer Criminal Petition.

Miscellaneous petitions pending, if any, in this petition, shall stand closed.

JUSTICE A.SHANKAR NARAYANA

01.11.2017

v v