

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

TRANSFER CRIMINAL PETITION No.282 OF 2014

ORDER:

Heard the learned counsel for the petitioner, the learned Assistant Public Prosecutor representing the respondent-State and the learned counsel for respondent-complainant. Perused the record.

2. This Transfer Criminal Petition is filed under Section 407 Cr.P.C. by the petitioner-accused seeking to withdraw S.T.C. No.41 of 2014 from the file of the Judicial Magistrate of First Class, Puttur and transfer the same to the file of the Judicial Magistrate of First Class, Ongole.

3. In the course of hearing, it has been conceded by both the sides that the Court of Judicial Magistrate of First Class at Puttur has jurisdiction to try the said case. No sufficient grounds are made out to transfer the case as prayed for. Under these circumstances, there are no grounds to allow the petition as prayed for. However, since there is long pending stay in this matter, the trial Court is directed to issue summons to the accused before proceeding with enquiry or trial of the case.

4. With the above observation, the Transfer Criminal Petition is dismissed.

Miscellaneous Petitions pending, if any, in the Transfer Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 06.02.2018
DRK

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