

HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO

TRANSFER CRIMINAL PETITION No.88 of 2014

ORDER:

The petitioner is the complainant in CC.No.203 of 2014 and accused Nos.1 & 2 are the respondents therein. There is another case in SC.No.3 of 2013 under the provisions of IPC and Special Act under SC & ST (POA) Act on the file of learned III Additional District and Sessions Judge, Vijayawada. CC.No.203 of 2014 is pending on the file of learned Junior Civil Judge, Vuyyur.

A perusal of the record shows both are case and counter case of occurrence at one time and at one place between the parties and after registration of both crime covered by crime Nos.104 & 106 of 2010, in crime No.104 of 2010 cognizance taken by the learned Special Sessions Judge, on committal from the police final report and so far as CC.No.203 of 2014 concerned, after investigation from the final report outcome of the protest petition taken cognizance. Once such is the case, the case and counter case to be tried simultaneously for pronouncing the judgment at a time as per the settled law.

Having regard to the above, CC.No.203 of 2014 pending on the file of learned Junior Civil Judge, Vuyyur, is withdrawn and transferred to the file of learned III Additional District and Sessions Judge, Vijayawada, where SC.No.3 of 2013 is pending for simultaneous trial, if necessary by recall of any witness already examined.

Accordingly and in the result, this Criminal Petition is allowed.

Miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 20.11.2018
ska

