

SMT JUSTICE T. RAJANI

TRANSFER CRIMINAL PETITION Nos.75 and 76 of 2013

COMMON ORDER:

These petitions are filed seeking for transfer of C.C.No.276 and 275 of 2012 on the file of the III Additional Judicial Magistrate of First Class at Kothagudem to the court of IV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, to be tried along with C.C.No.686 of 2004.

2. Heard the counsel for the petitioner and the Public prosecutor appearing for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The complaints filed by the complainant were taken cognizance in C.C.Nos.276 and 275 of 2012 for the offence under Section 138 of N.I.Act, while C.C.No.686 of 2014 was filed for the offence under Section 420 IPC, based on the fact of dishonour of cheques.

4. The counsel for the petitioner submits that, in fact, the husband of the petitioner was kidnapped and at that time 10 cheques were forcibly taken away from her and in that regard, she intimated the same to the Manager of the Bank by virtue of a letter, dated 01.08.2011.

5. A perusal of the said letter shows that the cheque numbers were also mentioned in the said letter. Both the complaints were filed in the year 2000. The petitioner's counsel submits that the petitioner, being a lady and resident of Hyderabad, is facing

difficulty to attend the court at Kothagudem for the purpose of trial.

6. Hence, considering the above facts, this court opines that the transfer, as sought for, can be permitted.

7. The Transfer Criminal Petitions are, accordingly, allowed and C.C.No.276 and 275 of 2012 on the file of the III Additional Judicial Magistrate of First Class at Kothagudem are transferred to the court of IV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, to be tried along with C.C.No.686 of 2004.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

October 11, 2018
LMV



T. RAJANI, J