

THE HON'BLE SRI JUSTICE P. KESHA VA RAO

CRIMINAL REVISION CASE No.2407 of 2014

ORDER:

There is no representation on behalf of the petitioner. As a matter of fact, when the matter was called on 31.8.2018, there was no representation. Therefore, the matter is posted to today. Even today also there is no representation. Learned counsel appearing for the second respondent is present.

The present Criminal Revision case is filed challenging the order passed in CrI.M.P.No.5716 of 2014 in CC.No.331 of 2014 dated 31.10.2014 on the file of the Court of Judicial Magistrate of I Class, Special Mobile court, Euru, dismissing the petition to transfer the CC.No.331 of 2014 to the Court of jurisdiction where the petitioner's Bank is situated.

The facts in brief are that the second respondent filed CC.No.331 of 2014 for the offence under section 138 of Negotiable Instruments Act against the petitioner herein. Pending the calendar case, the petitioner filed CrI.M.P.No.5716 of 2014 in the form of a memo requesting the Court to transfer the case to the petitioner/accused Bank jurisdiction. The same was dismissed by orders dated 31.10.2014. Against which the present Criminal Revision Case is filed.

Learned counsel appearing for the second respondent contended that CC.No.331 of 2014 cannot be transferred on the basis of a memo and by virtue of the amendment brought out to

Section 142 of the Negotiable Instruments Act vide The Negotiable Instruments (Amendment) Act 26 of 2015 which came into force with effect from 15.6.2015. The present Calendar Case is filed within the jurisdiction of the drawee bank i.e. second respondent-Bank. In that view of the matter, there is no irregularity or illegality in the orders passed by the Judicial Magistrate of I Class. There are no merits in the revision.

Accordingly, the Criminal Revision Case is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 04/09/2018

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JUSTICE P.KESHA VA RAO