

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER CRIMINAL PETITION No.248 of 2013

ORDER:

This is an application seeking transfer of C.C.No.74 of 2013 registered on the basis of a complaint filed under Section 142 of the Negotiable Instruments Act, 1881, for the offence punishable under Section 138 of that Act.

2. The plea of the petitioner is that C.C.No.74 of 2013 pending on the file of II Special Magistrate, Ranga Reddy District at Hastinapuram, LB Nagar, be transferred to II Additional Judicial First Class Magistrate, Bhimavaram, West Godavari District, for being clubbed and tried together with C.C.Nos.125, 127, 162 and 164 of 2013. Joint trial of criminal cases is not something which would be carried out. That apart different complaints alleging offences under the same penal provision relating to different transactions can never be ordered to be tried together merely because the accused person or persons may be one and the same. Therefore, no ground is made out for transfer of the case.

3. In the result, this Transfer Criminal Petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.

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THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 06.12.2018

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