

SMT JUSTICE T. RAJANI

TRANSFER CRIMINAL PETITION No.174 of 2011

ORDER:

This criminal petition is filed seeking transfer of CC.No.40 of 2011 on the file of the XX Additional Chief Metropolitan Magistrate, Nampally; CC.No.627 of 2010 on the file of the IV Additional Chief Metropolitan Magistrate, Nampally and CC.No.177 of 2010 on the file of the XVIII Additional Chief Metropolitan Magistrate, Nampally and to be clubbed and tried together by any Additional Chief Metropolitan Magistrate, Nampally by setting aside the order dated 01.07.2011 in TR.CRLPMP.No.319 of 2011.

2. Heard the counsel for the petitioner and the learned Public Prosecutor, appearing for the first respondent. None appears for the second respondent in spite of notice.

3. The Court below, by virtue of the impugned order, declined to transfer the cases as prayed for, on the ground that the cause of action in the three cases are different though the accused is one and the same.

4. But in the considered opinion of this Court, when the accused is one and the same and when the Courts are in the same campus, it would be convenient for the accused and the Court as well, to try all the cases together, subject to the convenience of the Court with regard to the attendance of the witnesses etc.

Hence, considering the above, the criminal petition is allowed setting aside the impugned order and CC.No.40 of 2011 on the file of the XX Additional Chief Metropolitan Magistrate, Nampally; CC.No.627 of 2010 on the file of the IV Additional Chief Metropolitan Magistrate, Nampally and CC.No.177 of 2010 on the file of the XVIII Additional Chief Metropolitan Magistrate, Nampally are transferred to the file of the XVIII Additional Chief Metropolitan Magistrate, Nampally to be clubbed and tried together. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

October 25, 2018
DSK

T. RAJANI, J

