

SMT JUSTICE T. RAJANI

TRANSFER CRIMINAL PETITION No.221 of 2017

ORDER:

The transfer criminal petition is filed seeking transfer of CC.No.20 of 2015 on the file of the I Additional Judicial Magistrate of First Class, Jagtial to any other nearest Court.

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

3. The grounds on which transfer is sought for are that the defacto complainant is an influential person and is a member of the Bar Association.

4. Both the grounds were urged before the Court below also and the Court below, by assigning valid reasons, dismissed the petition. The Court below also took into consideration the fact that the offences alleged against the petitioners are under Sections 326, 506 read with 34 of the Indian Penal Code, 1860. Simply because the defacto complainant is an Advocate and member of the Association, it cannot be said that he would be in a position to manipulate things. Hence, in such circumstances, the transfer of the case, as sought for, cannot be permitted.

The transfer criminal petition is dismissed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

T. RAJANI, J

January 5, 2018/DSK