

The PSI of Kanakapura Town PS have filed the charge sheet against the accused No.1 for the offences punishable under Sec.323, 354, 504, 506 R/w 34 of IPC. The presence accused No.1 was not secured inspite of issuance of warrant and therefore the proclamation was issued U/Sec.82 and 83 of Cr.P.C., which has made executed on 04.10.2019 and the said day and subsequent days the accused No.1 has not appeared before the court. The Tahasildar, Kanakapura submitted that no movable or immovable property in respect of accused No.1. All attempts to secure the presence of the accused No.1 went in vain and evidence was recorded and U/Sec.299 of Cr.P.C., the prosecution examined the CW-5, 6, 4 and proclamation witness and got marked Ex.P-1 to 3 and 1(a) and 2(a).

The CW-2 and 3 reported as dead. Several times issued the witness summons to CW-1 and 7 through PI, Kanakapura Town PS and Dy.SP Channapatna even then the prosecution failed to secure the presence of CW-1 and 7. Hence, CW-1 and 7 were dropped on 19.12.2023.

In this case all attempts made to secure the presence of the accused went in vain. Taking into consideration the steps which are already taken to secure the presence of the accused No.1. This court is of the view that there is no immediate prospect securing the presence of accused No.1. Therefore this court is of the view that this is a fit case to transfer to the long pending cases. In view of the above, this court proceed to pass the following:-

ORDER

Office is hereby directed to send the entire case file to the court of Hon'ble Prl. District and Sessions Judge, Ramanagara to seek leave to transfer the case to register of long pending cases.

Put up the file after receipt of the same from the Hon'ble Prl. District and Sessions Judge, Ramanagara.

Prl. Civil Judge and JMFC,
Kanakapura