

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

TRANSFER PETITION (CRL.) NO(s). 157 OF 2012

SILAPARASETTI SRINIVASA RAO Petitioner(s)

VERSUS

KARRI SANKARA RAO Respondent(s)
(With appln(s) for stay and permission to file additional
documents and office report) [FOR FINAL DISPOSAL]

Date: 11/04/2014 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Vipin Nair, Adv.
Mr. Udayaditya Banerjee, Adv.
Mr. P.B. Suresh, Adv.
for M/s Temple Law Firm

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The transfer petition is disposed of in terms
of the signed order.

(VINOD LAKHINA)
COURT MASTER

(INDU BALA KAPUR)
COURT MASTER

(SIGNED ORDER IS PLACED ON THE FILE)
IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

TRANSFER PETITION (CRIMINAL) NO.157 OF 2012

SILAPARASETTI SRINIVASA RAO ...PETITIONER

VERSUS

KARRI SANKARA RAO ...RESPONDENT

ORDER

Heard learned counsel for the petitioner.

This is a petition seeking transfer of C.R.
Case No.103/TR No.1667 of 2010, titled as "Karri
Sankara Rao versus Silaparasetti Srinivasa Rao",

pending before the Court of the Judicial First Class Magistrate at Port Blair, Andaman and Nicobar Islands to the Court of First Additional Metropolitan Magistrate at Visakhapatnam.

It is submitted that two cases have been filed deliberately in two different places. One being criminal complaint viz. C.C. No.861/2011 before the First Additional Metropolitan Magistrate, Visakhapatnam under Section 138/142 of the Negotiable Instruments Act, 1881, and the second being C.R. Case No.103/TR No.1667 of 2010, as noted herein above, before the Judicial First Class Magistrate at Port Blair, Andaman and Nicobar Islands. Since the two cases arise out of the same

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transaction, we are of the opinion that both the cases ought to be decided by the same Court to avoid conflicting judgments in the same matter.

In that view of the matter, we transfer C.R. Case No.103/TR No.1667 of 2010, titled as "Karri Sankara Rao versus Silaparasetti Srinivasa Rao", pending before the Court of the Judicial First Class Magistrate at Port Blair, Andaman and Nicobar Islands to the Court of First Additional Metropolitan Magistrate at Visakhapatnam.

The transfer petition is disposed of in the above terms.

.....,J.
(SURINDER SINGH NIJJAR)

.....,J.
(A.K. SIKRI)

NEW DELHI
APRIL 11, 2014