

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

TRANSFER CRIMINAL PETITION No.31 of 2013

ORDER:

Heard learned counsel for the petitioners and the learned Public Prosecutor on behalf of the 1st respondent. None appears for the 2nd respondent and there is also no representation on behalf of 2nd respondent, when her name was called out.

The petitioners are the accused Nos.1 to 3 in C.C.No.166 of 2012. The 2nd respondent is the *de-facto* complainant.

The 1st petitioner herein and the 2nd respondent worked for sometime together in the same company and they have taken strong liking towards each other and hence, got married on 06.08.2009 at Yadigiri near Hyderabad. However, differences have cropped up between them and the 2nd respondent has lodged a complaint in writing on 02.01.2011 with the Sub Inspector of Police, Mahabubnagar, which is registered as FIR.No.4 of 2011. The police after investigating the crime filed a charge sheet for the offence under Section 498-A IPC read with Sections 3 and 4 of Dowry Prohibition Act. The present petition is filed by the petitioners seeking transfer of the said case, which is pending on the file of Judicial First Class Magistrate, Mahabubnagar to the Court of Judicial First Class Magistrate at Vijayawada, Krishna District.

I have considered the material facts relevant for the present purpose in detail. The divorce O.P. filed by the 2nd respondent against the 1st petitioner herein was in fact ordered to be transferred by this Court by an order dated 12.08.2013 to the Family Court at Hyderabad. Similarly, the Maintenance Case filed by the 2nd respondent was also appears to be ordered to be transferred to the Family Court at Hyderabad. Therefore, I consider that it would be appropriate if C.C.No.166 of 2012 pending on the file of Judicial First Class Magistrate, Mahabubnagar, is transferred to Criminal Court at

Hyderabad, it would be easy and convenient for both the petitioners herein and the 2nd respondent to prosecute the said case properly and carefully.

Accordingly, this transfer criminal petition is allowed and C.C.No.166 of 2012 pending on the file of Judicial First Class Magistrate, Mahabubnagar, shall stand transferred to Criminal Court at Hyderabad.

Consequently, miscellaneous petitions, if any pending shall also stand closed.

JUSTICE NOOTY RAMAMOHANA RAO

24.06.2015

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