

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
TRANSFER CRIMINAL PETITION No.199 of 2015

ORDER :

This transfer petition is filed by the petitioners/accused Nos.2 and 3 under Section 407 of Cr.P.C seeking to transfer of C.C. No.191 of 2015 on the file of Judicial Magistrate of the First Class, Godavarikhani to any Court in Ranga Reddy District.

2) The case is outcome of Crime No.439 of 2014 dated 20.12.2014 of the 2nd respondent, no other than the wife of 1st accused, for the offences punishable under Sections 498-A, 506 read with 34 I.P.C. There is no material in support of the strain allegation of threat of life to the petitioners in the hands of the victim of the offence under Section 498-A I.P.C. The other contention is that the accused are residents of Hyderabad which is not even a ground because the defacto-complainant is resident of Godavarikhani and the cause of action accrued therein within the jurisdiction of the learned Magistrate and it is not even a case of the petitioners that the Court has no jurisdiction.

3) Having regard to the above, none of the grounds survive to admit the application for transfer and the application is disposed of, instead of dismissal, by directing the lower Court as 2nd petitioner is claimed as physically

handicapped, learned Magistrate to permit the accused persons to represent one on behalf of other accused on filing of a petition under Rule 37 of Criminal Rules of Practice with necessary conditions.

4) With the above observations, the transfer petition is disposed of. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.24th August, 2015

KSH