

**IN THE HIGH COURT OF JUDICATURE AT
HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF
ANDHRA PRADESH**

TRANSFER CRIMINAL PETITION No.174 OF 2015

Between:

Koyagarala Meghashyam and 3 others

... Petitioners

and

The State of Telangana rep. by the Public Prosecutor

... Respondent

DATE OF JUDGEMENT PRONOUNCED: 29-07-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
TRANSFER CRIMINAL PETITION No.174 of 2015

ORDER :

This Transfer Criminal Petition is filed by the Petitioners to withdraw D.v.C. No.16 of 2015 from the file of the Judicial Magistrate of the First Class, Godavarikhani, Karimanagar District and transfer the same to the file of Additional Judicial Magistrate of the First Class, Anantapur to try along with the calendar case registered for the offences punishable under Sections 498-A, 354-A (i) (ii) and 507 I.P.C and Sections 3 and 4 of the Dowry Prohibition Act.

2) Heard the learned counsel for the petitioners and the 1st respondent-State represented by the Public Prosecutor before admission and before issuing notice to the 2nd respondent and perused the material on record.

3) As there are no grounds to admit the application to transfer D.V.C. No.16 of 2015 from the file of Judicial Magistrate of the First class, Godavarikhani to the file of Additional Judicial Magistrate of the First Class, Anantapur under Section 407 Cr.P.C.

4) Having regard to the above, this petition is disposed of giving liberty to the petitioners to file an application under Section 126(2) Cr.P.C. to represent through advocate by dispensing personal appearance since the D.V.C. proceedings are civil in nature but for offence under Section 31 of the Protection of Women from Domestic Violence Act; or file a petition under Rule

37 of the Criminal Rules of Practice to represent one of the respondents in D.V.C for other respondents to hear and permit with necessary conditions by the learned Magistrate.

5) With the above observations, the petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

29.07.2015
ksh