

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Tr.Crl.P.No.203 of 2015

ORDER :

This petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the CrPC') by the Petitioner-defacto-complainant to permit her to withdraw C.C.No.641 of 2013 on the file of XIV Metropolitan Magistrate, Cyberabad at L.B.Nagar, and transfer the same to the Court of learned Judicial Magistrate of First Class, Kurnool.

2. Heard the learned counsel for the petitioner, the learned Public Prosecutor for the 1st Respondent-State before admission and before notice to the 2nd respondent-accused and perused the material placed on record.

3. The only allegation is already police report is lodged by the defacto-complainant about threats on her from the accused side thereby apprehending harm which made her to seek transfer of the C.C.No.641 of 2013 from the XIV Metropolitan Magistrate, Cyberabad, L.B.Nagar, to any Court at Kurnool. Undisputedly, the petitioner-defacto-complainant, even by the date of report, is resident of Kurnool and the accused-1st respondent is of Hyderabad. She has to give evidence in the above case in the Court at Cyberabad as L.W.1/P.W.1. For that purpose, she can apply to the police of Kurnool in writing to provide necessary escort to her by collecting reasonable expenses by virtue of this direction for her security and the police to provide. If the same is taken care of, there is nothing for this Court to transfer the case from Cyberabad to Kurnool much less to cause inconvenience to the accused at Hyderabad to go around for further adjournment to Kurnool.

4. With the above observation, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any pending, in this Criminal

Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 28.08.2015

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