

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
Tr.Crl.P.No.167 of 2014

ORDER :

This Transfer Criminal Petition is filed by the Petitioner/ respondent under Section 407 Cr.P.C to withdraw M.C.No.1 of 2014 pending before the Judicial First Class Magistrate, Bhongir, Nalgonda District and transfer the same to the file of the Judicial First Class Magistrate, Ranga Reddy District at L.B.Nagar.

2) Heard learned counsel for the petitioner, who is respondent in M.C.No.1 of 2014 pending on the file of Judicial First Class Magistrate, Bhongir, Nalgonda District and also 1st respondent—State represented by its public prosecutor and taken as heard respondents 2 to 4 of whom respondents 3 & 4 are represented by respondent No.2 i.e., mother, who are petitioners 1 to 3 in M.C.No.1 of 2014 for their refusal to receive the notice addressed to them as M.C petitioners, where they are claimed to be residents of Papireddy Colony, Rajeev Gruahakalpa, Serilingampally, Hyderabad in MC cause title and perused the material on record.

3) The petitioner claims that M.C. No.1 of 14 is filed intentionally to make the M.C petitioners—respondents herein to undergo ordeal journey of 90 Kms for every adjournment. The 2nd respondent even served

to the address shown in the petition cause title at Serilingampally, but the same was returned as 'refused' with postal endorsement.

4) In sum and substance, the contention of petitioner is that the 2nd respondent is not resident of Bhongir but residing at Serilingampally. The petitioner, therefore, seeks transfer of the M.C proceedings to any Court at L.B Nagar. In fact, in the course of hearing, it is submitted that Kukatpally is nearer to Serilingampally, so that M.C petitioners shall not suffer ordeal long journey to prosecute their case against M.C respondent.

5) Having regard to the above, for the convenience of both sides, the Court feels it just under Section 407 Cr.P.C to transfer the case from the file of JFCM, Bhongir to IX MM Court, Kukatpally at Miyapur.

6) Accordingly, the Transfer Criminal petition is allowed.

7) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.06.07.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Date:06.07.2015

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