

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
TRANSFER CRIMINAL PETITION No.135 of 2015

ORDER :

This Petition is filed under Section 407 Cr.P.C by the Petitioners/respondent in M.C. No.10 of 2014 seeking to transfer the case in M.C. No.10 of 2014 on the file of Judicial Magistrate of the First Class, Kurnool, Kurnool District to the Family Court at Guntur.

2) Heard the learned counsel for the petitioner and 1st respondent-State represented by Public Prosecutor before admission and before issuing notice to respondent Nos.2 to 4 and perused the material on record.

3) The ground urged by the petitioner in seeking the transfer is that he is suffering for ill-health and doctor advised for four weeks rest. That is not at all a ground for transfer of a case from one district to other district. The other submission orally, while hearing, is that he is a private employee and unable to take the ordeal to go for every adjournment to a far of place with no proper public conveyance. Needless to say that in such a case remedy is left open either to invoke Section 205 or Section 126(2) Cr.P.C as the case may be.

4) Having regard to the above, the petition is disposed of giving liberty to file appropriate application before the learned Magistrate either under Section 126(2) or 205

Cr.P.C and after hearing the learned Magistrate shall consider and allow the same with necessary conditions. As a sequel, miscellaneous petitions pending, if any, in this petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

23.06.2015

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