

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Tr.Crl.P.No.116 of 2013

JUDGMENT:

In this petition filed under Section 407 Cr.P.C., the petitioner/*defacto* complainant seeks to transfer C.C.No.1176 of 2013 from the Court of Judicial Magistrate of First Class, Mahaboobabad to any appropriate Court in Nalgonda.

2) Petitioner's case is that on the report given by her, the police of Mahaboobabad registered a case in Cr.No.15 of 2006 against respondents 1 to 7/A1 to A7 and after investigation laid charge sheet against them for the offences under Section 498A IPC and Sections 3 and 4 of Dowry Prohibition Act and same was taken cognizance and registered as C.C.No.1176 of 2013 and pending on the file of Judicial Magistrate of First Class, Mahaboobabad, Warangal District.

a) Petitioner's submission is that when she was attending the above case, her husband demanded Rs.1 lakh as additional dowry and at that time, his kept mistress was also with him and when the petitioner expressed her inability to pay the amount, they trounced her and tried to kill her and so she gave a report to police of Mahaboobabad Town PS and they registered a case in Cr.No.111 of 2013 for the offence under Section 307 IPC and the matter is under investigation. Petitioner's further submission is that the respondents/accused are very much inimical towards her and she strongly apprehend that they would kill her to fulfil their demand and therefore, if C.C.No.1176 of 2008 is not transferred from the Court of Judicial Magistrate of First Class, Mahaboobabad to any appropriate Court in Nalgonda she would suffer irreparable loss and injury.

3) Heard learned counsel for petitioner. Notice sent to respondents returned unserved.

4) Having regard to the submission of learned counsel for petitioner and in view of the fact that on the report given by petitioner, the police of Mahaboobabad Town PS registered a case in Cr.No.111 of 2013

under Section 307 IPC against respondent No.1 and one Rama and the matter is under investigation, I find *prima facie* force in the apprehension of the petitioner to the effect that it is not safe for her to attend the Court at Mahaboobabad.

5) In the result, this Transfer Criminal Petition is allowed and C.C.No.1176 of 2013 is transferred from Judicial Magistrate of First Class, Mahaboobabad to the Judicial Magistrate of First Class, Nalgonda to be tried along with M.C.No.10 of 2013.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 02.06.2015

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Note: L.R. Copy to be marked: Yes / No

Murthy