

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

TRANSFER CRIMINAL PETITION No.2 of 2014

ORDER:

This transfer criminal petition is filed under Section 407 Cr.P.C., to withdraw D.V.C. No.12 of 2013 from the file of the court of II Additional Chief Metropolitan Magistrate at Visakhapatnam and transfer the same to the file of the court of Additional Judicial First Class Magistrate, Vizianagaram.

2. The learned counsel for the petitioners seeks permission of this court to permit the petitioners to withdraw transfer criminal petition with liberty to avail all the remedies available to them under law. Permission is granted.

3. The learned counsel for the petitioners submitted that the presence of the petitioner Nos.2 to 4/respondent Nos.2 to 4 before the trial court may be dispensed with. There is no dispute with regard to identity of petitioner Nos.2 to 4. Even if the presence of the petitioner Nos.2 to 4 is dispensed with, no prejudice will be caused to the second respondent, who is the *de facto* complainant. Hence, this court is inclined to dispense with the presence of the petitioner Nos.2 to 4/ respondent Nos.2 to 4 in D.V.C. No.12 of 2013 before the trial court.

4. Accordingly, this transfer criminal petition is dismissed as withdrawn granting liberty as prayed for. The presence of the petitioner Nos.2 to 4/respondent Nos.2 to 4 in D.V.C. No.12 of 2013 before the trial court on each and every date of adjournment is dispensed with. However, they shall appear before the trial court as and when their presence is so required. Miscellaneous petitions, if any pending in this criminal petition, shall stand closed.

T.SUNIL CHOWDARY, J

December 01, 2015.

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