

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

Tr.CRIMINAL PETITION No.146 of 2015

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ORDER :

This transfer criminal petition is filed by the petitioner/accused under Section 407 Cr.P.C to withdraw C.C. No.103 of 2015 from the file of II Additional Judicial Magistrate of the First Class, Tanuku, West Godavari District and transfer to the file of Judicial Magistrate of the First Class, Rayachoti, YSR Kadapa District.

2) Heard the learned counsel for the petitioner, the 1st respondent-State represented by the public prosecutor before admission, before issuance of notice to the 2nd respondent and perused the material on record.

3) The address of the petitioner in the present application, was shown as resident of Bangalore, where he is working in seeking transfer of the case to Rayachoti of Y.S.R Kadapa District alleging there is a threat to his life to attend the Court at Tanuku. But from the affidavit petition, filed by the petitioner, there is no mention even for the basis that a particular day any incident happened or any police report given.

4) Having regard to the above, there are no grounds to consider the transfer petition and hence, disposed of giving liberty, on the claim that he is unable to face the ordeal of physical presence since there is every possibility of risk of his job at Bangalore, to file an application to represent

through special vakalat holder and in such an event, the learned Magistrate shall hear and permit with necessary conditions.

5) With the above observations, the petition is disposed of. Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

03.07.2015
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