

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Transfer Criminal Petition No.13 of 2015

ORDER:

In this petition filed under Section 407 Cr.P.C., the petitioners/A1 to A10 seek to transfer the CrI.A.No.192 of 2012 from the Court of XI Additional Sessions Judge, Gudivada to any other Sessions Judge's Court within the campus of Machilipatnam.

2) Heard learned counsel for petitioners and perused the impugned order dated 19.12.2014 in Tr.CrI.M.P.No.198 of 2014 passed by learned Metropolitan Sessions Judge, Vijayawada, FAC/Sessions Judge, Krishna at Machilipatnam whereby and whereunder the learned Judge dismissed the request of present petitioners to transfer the CrI.A.No.192 of 2012 from Gudivada to Machilipatnam. Among other reasons, learned Judge dismissed the petition on the observation that the petitioners' village of Nagayalanka is at equal distance to both Gudivada and Machilipatnam and hence there could be no difficulty for the petitioners to attend XI Additional District and Sessions Judge Court, Krishna at Gudivada where the Criminal Appeal is pending. Of course, in the instant petition, though the petitioners contend that the distance from their village to Gudivada is far away, they could not produce any material to substantiate the same. That apart, once the Criminal Appeal was transferred on administrative grounds from I Additional District and Sessions Judge, Machilipatnam to the XI Additional District and Sessions Judge, Gudivada. So, in view of this, it is not a fit case to consider the request of the petitioners for transfer.

3) Accordingly, this Transfer Criminal Petition is dismissed.

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

U. DURGA PRASAD RAO, J

Date: 17.04.2015

Murthy