

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

TR. CRIMINAL PETITION NO. 145 OF 2013

ORDER:

This is a petition filed seeking a transfer of C.C.No.362 of 2012 pending on the file of the Additional Judicial Magistrate of First Class, Giddalur, Prakasam District, to the Court of Judicial Magistrate of First Class, Kadapa, Y.S.R District. It is the case of the petitioner, who is the wife of the second respondent herein that she is a resident of Kadapa and she was the *defacto* complainant in C.C.No.362 of 2012 and it was becoming difficult for her to prosecute the case by visiting every time the Court at Giddalur. Since the petitioner is presently residing at Kadapa, she prayed the matter to be withdrawn from the Court at Giddalur and to be transferred to the Court at Kadapa.

Learned counsel for the second respondent-husband would submit that the case is now coming up for trial and at this stage, transfer of the matter to far-off Kadapa is only to delay the proceedings from getting finalized.

If C.C.No.362 of 2012 is now coming for trial, it will not be in the best interests of either of the parties to transfer it to a new Court where it may not receive the priority attention. On the other hand, when the matter is now posted for trial, it would be in the best interest of all to ensure that the trial in the matter is concluded, as expeditiously as possible, preferably within a maximum period of two months from the date of receipt of this order.

Hence, the Additional Judicial Magistrate of First Class, Giddalur, Prakasam District is directed to deal with C.C.No.362 of 2012, as expeditiously as possible and finalize the same within a maximum period of two months from the date of receipt of this order, as it is an old case.

Accordingly, this transfer criminal petition is disposed of. Consequently, miscellaneous petitions pending if any shall stand closed.

JUSTICE NOOTY RAMAMOHANA RAO

05.06.2015

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