

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
Tr.Crl.P.No.179 of 2015

-

ORDER :

The petitioners/A.1 to A.3 filed this transfer criminal petition under Section 407 Cr.P.C. to transfer C.C.No.36 of 2012 on the file of the II Additional Judicial First Class Magistrate, Sattenapalli, Guntur District to the VII Additional Judicial First Class Magistrate, Rajahmundry, East Godavari District.

2. Heard learned counsel for the petitioners.

3. It is represented by the learned counsel for the petitioners that even notice sent returned as the 2nd respondent-*de facto* complainant left the village.

4. The ground urged to transfer C.C.No.36 of 2012, which is in the stage of defence evidence, merely because there is another case pending for the offences under Sections 498-A, 494 and 506 read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, vide Crime No.112 of 2011 of Bommuru Police Station, East Godavari District as C.C.No.565 of 2011 on the file of the VII Additional Judicial First Class Magistrate, Rajahmundry, is not at all a ground, but for to say as the case i.e., C.C.No.36 of 2012 on the file of the II Additional Judicial First Class Magistrate, Sathapalli, Guntur District, is in the defence evidence stage, if at all after disposal, the evidence there in and the judgment can be made use of in

the pending C.C.No.565 of 2011 at Rajahumundry as per law.

5. With the above observation, this transfer criminal petition is dismissed. No costs.

6. Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

19th August 2015.

mar