

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

TRANSFER CRIMINAL PETITION No.269 OF 2016

ORDER:

This petition is filed under Section 407 Cr.P.C. to withdraw C.C.No.254 of 2015 on the file of Additional Judicial Magistrate of First Class, Ramachandrapuram and transfer the same to any other Judicial Magistrate of First Class Court at Rajahmundry on the ground that there is a life threat to the petitioner and that the petitioner was threatened when she appeared before Additional Judicial Magistrate of First Class, Ramachandrapuram .

In fact petitioner filed earlier transfer petition before the Principal District Judge, Rajahmundry in Tr.Crl.M.P.No.1153 of 2016 by order dated 29th September, 2016 and the petition was dismissed directing the trial court to provide necessary security in court premises to see that no client including the petitioner gets any threat from any corner.

Having been not satisfied with the said order, present petition is filed on the same ground.

Even the apprehension of the petitioner is that there is life threat to the petitioner and it is difficult for her to attend the court of Additional Judicial First Class Magistrate, Ramachandrapuram in connection with C.C.No.254 of 2015 which is pending in the said court.

Supreme Court in *RANJIT SINGH ANOTHER v. POPAT RAMBHAJI SONAWANE AND OTHERS Vs. POPAT RAMBHAJI*

SONAVANE AND OTHERS Vs. STATE OF MAHARASTRA AND ANOTHER (¹) held that in a similar situation, the State agreed to provide necessary security to the advocate enabling him to attend before the court and declined to withdraw criminal case from Pune court.

By applying the above principle in the present case, I find that it is a fit case to provide police protection to the petitioner herein whenever she is attending the court in connection with C.C.No.254 of 2015 subject to bearing expenses for such police protection claimed by the petitioner.

Hence, Additional Judicial First Class Magistrate, Ramachandrapuram is directed to provide necessary police protection addressing letter to concerned police, to the petitioner whenever she attends court in connection with C.C.No.254 of 2015.

With the above direction, this Criminal Petition is dismissed.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE M.SATYANARAYANA MURTHY

Dated 20-10-2016.

Dvs.

¹ 1983 CRL.L.J.437 = AIR 1983 SUPREME COURT 292

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Dated 20-10-2016.

Dvs