

THE HON'BLE SRI JUSTICE RAJA ELANGO

Tr. Criminal Petition No.335 of 2014

ORDER:

This Transfer Criminal Petition is filed under Section 407 Cr.P.C. seeking of transfer of C.C.No.370 of 2011 on the file of Judicial First Class Magistrate, Devarakonda, Nalgonda District, State of Telangana to the Court of II Additional Chief Metropolitan Magistrate, Vijayawada, State of Andhra Pradesh where C.C.No.419 of 2009 is pending.

Heard the learned counsel for the petitioner and the learned counsel for the 2nd respondent.

The main grievance of the petitioner is that she filed two cases against the 2nd respondent herein, one for harassment of additional dowry, and another is for granting divorce and as a counter blast the 2nd respondent filed a false complaint at Devarakonda, Nalgonda District, which was numbered as C.C.No.370 of 2011 on the file of Judicial First Class Magistrate, Devarakonda. It is further contended that she is apprehending of unfair and partial enquiry at Devarakonda and also apprehending danger to her life and other petitioners, if they attend to the place where the case is filed by the 2nd respondent at Devarakonda, as the 2nd respondent and his sister are highly influential persons and having followers at Devarakonda.

At the time of arguments for some time, both the counsel fairly stated that it is convenient for both parties, if C.C.No.370 of 2011 is transferred to the Court of Judicial First Class Magistrate, Kodad, and the same may be considered in the interest of justice.

Considering the facts and circumstances of the case and the request of the learned counsel for both parties, this Court is of the view that ends of justice would be met if C.C.No.370 of 2011 is transferred from the Court of Judicial Magistrate of First Class, Devarakonda to the Court of Judicial Magistrate of First Class, Kodad.

Accordingly, the transfer Criminal Petition is allowed and C.C.No.370 of 2011 pending on the file of Judicial Magistrate of First Class, Devarakonda is withdrawn from that Court and transferred the same to the Court of Judicial Magistrate of First Class, Kodad, for trial and disposal in accordance with law. Till such transfer is made, the presence of the petitioners herein is dispensed with except on the dates when their presence is essentially required by the Court. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 23-02-2016

-
Ksn