

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.76 OF 2016

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ORDER:

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This Transfer Criminal Petition is filed under Section 407 of Code of Criminal Procedure (Cr.P.C.) to withdraw M.C.No.1 of 2016 on the file of the Judicial Magistrate of First Class, Miryalaguda, and transfer the same to the Court of the Family Judge, Vijayawada.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that though the respondent herein is not the resident of Miryalaguda, she has filed the above M.C., at Miryalaguda showing that she is residing there only to harass the petitioner herein. Hence, he prays this Court to transfer the above M.C., to the Court of the Family Judge, Vijayawada.

This Court is not inclined to transfer the above M.C., to any Court. However, as the case is arising out of matrimonial disputes, the question of identity of the petitioner does not arise and as such, the presence of the petitioner before the trial Court is dispensed with except on the dates when the trial Court insists for his appearance. The petitioner is directed to be represented by his counsel before the Court below on all hearing dates.

The Transfer Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

16.03.2016

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