

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**TRANSFER CRIMINAL PETITION No.79 OF 2016**

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**ORDER:**  
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This Transfer Criminal Petition is filed by the petitioners-Accused Nos.1 to 3 under Section 407 Cr.P.C., seeking to transfer Criminal Appeal i.e., C.A.No.673 of 2015 on the file of the XI Additional District & Sessions Judge, Tenali, to the Court of Principal District & Sessions Judge, Guntur.

Heard and perused the material available on record.

Since the 1<sup>st</sup> petitioner died during the course of trial in C.C.No.160 of 2012, the case against him was abated. Petitioners 2 and 3 were tried and acquitted for the offence punishable under Section 420 IPC in C.C.No.160 of 2012 on the file of the I Additional Judicial Magistrate of First Class, Tenali. Against the said judgment, the 1<sup>st</sup> respondent filed the above Criminal Appeal.

The ground raised by petitioners No.2 and 3 for transfer of the above Criminal Appeal is that the 1<sup>st</sup> respondent has been threatening them to settle the property issues. The reason assigned by them is not sufficient to transfer the above appeal and therefore, this Court is not inclined to grant the relief sought by them.

However, the presence of petitioners No.2 and 3 before the learned XI Additional District & Sessions Judge, Tenali is dispensed with till the date of pronouncement of judgment in the above Criminal Appeal.

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

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**JUSTICE RAJA ELANGO**

Date : 17.3.2016

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**DATED 17.3.2016**

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