

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.74 OF 2016

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ORDER:
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This Transfer Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed to withdraw F.C.O.P.No.17 of 2015 from the file of the Family Court – cum – V Additional District Judge at Tirupati and transfer the same to any competent Court at S.P.S.R.Nellore District.

2. Heard and perused the material available on record.
3. Learned counsel for the petitioner contended that whenever the petitioner is appearing before the Family Court, Tirupati, he is being threatened by respondent No.1 and her mother and on the earlier occasion, he lodged a complaint before the Station House Officer, Tirupati West Police Station and the same was registered as Crime No.92 of 2015 on the file of the III Additional Judicial Magistrate of First Class, Tirupati and later, charge sheet was also filed.
4. Considering the facts and circumstances of the case, this Transfer Criminal Petition is disposed of with the following direction:

As the petitioner is apprehending danger in the hands of respondent No.1 and her mother and as the case between the parties is F.C.O.P. and the same arose out of matrimonial disputes, the question of identity of the petitioner does not arise and his presence before the Family Court – cum – V Additional District Judge at Tirupati is dispensed with except on the dates on which the learned Magistrate insists for his appearance.
5. Miscellaneous petitions pending, if any, in this Transfer Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

22.3.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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