

THE HON'BLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.38 of 2014

ORDER:

This Criminal Petition is filed by the petitioner under Section 407 Cr.P.C. seeking to transfer CC. No.86 of 2012 pending on the file of Judicial Magistrate of First Class, Medak to the Mahila Court, Hyderabad or Cyberabad, Ranga Reddy District.

Heard and perused the material available on record.

The main ground urged by the petitioner for transferring the case is that the respondents 2 to 7 - accused in the case are threatening the witnesses not to depose in the Court and also continuously harassing the petitioner whenever she is present in the Court. To substantiate the same, the petitioner has not filed any material and also she has not given any complaint before the police with regard to the harassment made by the accused. Admittedly this Court granted interim stay of all further proceedings in the CC for a period of four (4) weeks. Thereafter, the stay is also not extended.

Learned counsel for the petitioner as well as the learned Public Prosecutor are not in a position to inform about the case is still pending or not. Learned counsel for the accused submitted that the accused will not threaten the witnesses.

Considering the facts and circumstances of the case, this Court is of the view that this criminal petition can be disposed of with the following directions:

The Judicial Magistrate of First Class, Medak, is directed to proceed with the trial of CC No.86 of 2010, if the case is pending and if the petitioner apprehends any threat in the hands of the accused, she is at liberty to inform the same to the trial Judge and on such information, the trial Judge shall take appropriate action.

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

RAJA ELANGO, J

February 16, 2016.
KTL