

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.118 OF 2016

ORDER:

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This Transfer Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed to transfer Sessions Case No.331 of 2015 from the Court of the IV Additional District and Sessions Judge (Fast Track Court), Ananthapur District, Andhra Pradesh to the Court of the District and Sessions Judge, Mahabubnagar District, Telangana State.

2. The offences alleged against respondent Nos.2 to 7/A-1 to A-6 are punishable under Sections 364, 302, 201 and 120-B read with 34 I.P.C.

3. Heard and perused the material available on record.

4. Learned counsel for the petitioners contended that the petitioners are the eye witnesses to the occurrence more particularly, petitioner No.4, who is the wife of the deceased Venkatrami Reddy; that schedule was fixed by the trial Court for examination of the witnesses; that the accused are released on bail and appearing the trial Court on bail and they are still having grudge against the petitioners; that the accused are powerful and some of them are hired goondas engaged by the main accused and hence, there is apprehension to the lives of the petitioners herein.

5. The petitioners are unable to substantiate the said contentions by way of lodging any complaint before the concerned officials. However, considering the facts and circumstances of the case, this Court is of the view that it is the duty of the Investigating Agency to protect the rights of the witnesses whenever there is an apprehension on the part of the witnesses to depose before the trial Court. Hence,

the Superintendent of Police, Ananthapur District is hereby directed to take personal attention and protect the interests of the petitioners/witnesses by informing the concerned Investigating Agency to give protection to them on the dates on which they are directed to appear before the trial Court. Even after this order, if there is any apprehension to the petitioners during the course of trial before the trial Court, the petitioners are at liberty to approach this Court by substantiating the threat to their lives. The petitioners are also directed to give a representation to the Superintendent of Police, Ananthapur District along with a copy of this order.

6. Accordingly, the Transfer Criminal Petition is disposed of. Miscellaneous Petitions pending, if any, in this Transfer Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

20.4.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 20.4.2016

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