

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

TRANSFER CRIMINAL PETITION No.153 OF 2016

ORDER:

The present Transfer Criminal Petition, under Section 407 of Cr.P.C., is filed by the petitioner seeking to withdraw D.V.C.No.2 of 2016 pending on the file of the VI Additional Judicial First Class Magistrate, Warangal, and transfer the same to the Court of III Additional Judicial First Class Magistrate, Khammam, raising several contentions.

2. However, during the course of hearing, learned counsel for the petitioner confined his contention to life threat to the petitioner while attending the Court in connection with D.V.C.No.2 of 2016 pending on the file of VI Additional Judicial First Class Magistrate, Warangal.

3. No doubt, when the petitioner is facing life threat, it is difficult for him to attend the Court in connection with the above said case, but, that itself is not a ground to withdraw and transfer the matter to another Court and no material is produced before this Court regarding any complaint made to the police or any other person about such life threat to him, moreover the proceedings under Protection of Women from Domestic Violence Act are purely in civil nature and the parties cannot be insisted to appear every day as held by this Court in GIDUTHURI KESARI KUMAR AND OTEHRS v.

STATE OF TELANGANA AND ANOTHER¹. However, the VI Additional Judicial First Class Magistrate, Warangal, is directed to provide necessary police protection whenever the petitioner attends the Court in connection with D.V.C.No.2 of 2016 on receipt of any requisition from the petitioner to enable him to attend the Court without any fear, subject to bearing necessary expenditure.

4. With the above direction, the Transfer Criminal Petition is disposed of.

28.11.2016.
Msr



M. SATYANARAYANA MURTHY, J

¹ 2015 (2) ALD (Cri) 470

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