

THE HON'BLE SRI JUSTICE RAJA ELANGO

Tr.Crl.P.No.115 of 2016

ORDER

-

This petition under Section 407 Cr.P.C., is filed by the petitioner/accused seeking to withdraw M.C.No.57 of 2016 on the file of the Judge, Family Court, Ranga Reddy District at L.B.Nagar and transfer the same to the Court of Judge, Family Court, Ongole.

2. Respondents 1 and 2 herein filed M.C.No.57 of 2016 on the file of the Judge, Family Court, Ranga Reddy District at L.B.Nagar, claiming maintenance of Rs.15,000/- and Rs.5,000/- respectively, from the petitioner. Another case in C.C.No.685 of 2014 on the file of Additional Junior Civil Judge, Kandukur, registered for the offences punishable under Sections 498-A, 323 r/w 34 IPC is also pending against the petitioner. Since both the matters arising out of matrimonial dispute, the petitioner prays to transfer M.C.No.57 of 2016 on the file of the Judge, Family Court, Ranga Reddy District at L.B.Nagar to the Court of Judge, Family Court, Ongole.

3. Heard and perused the material on record.

4. Learned counsel for the petitioner submits that the petitioner is not an earning member of the family and he could not able to bear the travelling expenses to attend the Court at Hyderabad on every date of adjournment.

5. While adjudicating an application under Section 407, Cr.P.C. the petitioner is required to put forth reasonable grounds for transfer of a case from one Court to another. The ground raised by the petitioner is not at all tenable. In the present facts and circumstances of the case, there are no valid grounds for transfer

of the case. However, the presence of the petitioner before the trial Court is dispensed with except on the dates whenever his presence is insisted by the trial Court and he shall be represented by his counsel.

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

RAJA ELANGO, J

19th April, 2016
sj