

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.100 OF 2016

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ORDER:

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The Transfer Criminal Petition is filed under Section 407 of Code of Criminal Procedure (Cr.P.C.) to transfer S.C.No.239 of 2015 on the file of the VI Additional District and Sessions Judge, Mahabubabad, to any Court in the Ranga Reddy District.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that there is a threat to her from the second respondent and his family members if she attends the court at Mahabubabad and as such, prays this Court to transfer the above case to any Court in the Ranga Reddy District.

This Court is of the view that the above case cannot be transferred on the ground that there is a threat to the petitioner from the second respondent and his family members as the same is not substantiated by the petitioner by showing any document. Further, she has not filed any case against the alleged incident. Hence, this Court is not inclined to transfer the above case to any Court.

However, as the case is arising out of matrimonial disputes, the question of identity of the petitioner does not arise and as such, the presence of the petitioner before the trial Court is dispensed with except on the dates when the trial Court insists for her appearance. The petitioner is directed to be represented by her counsel before the Court below on all hearing dates.

The Transfer Criminal Petition is accordingly dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

01.04.2016

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