

THE HONOURABLE SRI JUSTICE RAJA ELANGO
TRANSFER CRIMINAL PETITION No.97 OF 2016

ORDER:

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This Transfer Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed to withdraw C.C.No.182 of 2012 from the file of the Judicial Magistrate of First Class at Cheepurupalli and transfer the same to the Court of the Judicial Magistrate of First Class, Srikakulam for trial and disposal in accordance with law.

2. The offences alleged against the petitioners/A-1 to A-5 are punishable under Section 498-A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. Heard and perused the material available on record.

4. The main grounds on which the petitioners filed this petition are that the petitioners are settled in different places and petitioner Nos.2 and 3 are aged about 64 years and 72 years respectively.

5. Considering the fact that the offences arose out of matrimonial disputes wherein the question of identity of the petitioners does not arise, the presence of petitioners before the trial Court is not at all necessary except on the dates on which the learned Magistrate insists for their presence. Hence, the presence of the petitioners before the trial Court is dispensed with and they shall be properly represented through their counsel before the trial Court. The trial Court is also directed to insist for the appearance of the petitioners only on the dates on which it feels necessary.

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

JUSTICE RAJA ELANGO

31.3.2016
AMD

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Date: 31.3.2016

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