

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA
TRANSFER CRIMINAL PETITION No.72 OF 2017

ORDER:

The present Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed requesting to withdraw S.C.No.599 of 2012 from the file of XVI Additional District and Sessions Judge, Nandigama, Krishna District, and transfer the same to any other Court of competent jurisdiction in West Godavari District.

2. Certain allegations have been levelled against the Presiding Officer of XVI Additional Sessions Judge's Court, Nandigama, Krishna District. The allegations mentioned at paragraph Nos.3, 4 and 5 of the affidavit are not concrete allegations. They are mere apprehensions. Further, no affidavit of the learned counsel for petitioners is filed to substantiate the allegations levelled by the petitioners. Therefore, the request of the petitioners to withdraw the Sessions Case from the file of XVI Additional District and Sessions Judge, Nandigama, Krishna District, and transfer the same to a different District i.e., West Godavari cannot be acceded to, more particularly, when the prosecution witnesses were already examined and the case is coming up for defence evidence. No tangible reason is assigned for effecting transfer from one District to another District.

3. Hence, the Transfer Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Transfer Criminal Petition, shall stand closed.

A. SHANKAR NARAYANA, J

March 20, 2017.
MD