

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Transfer Criminal Petition No.190 of 2017

ORDER:

This Transfer Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 to 3 requesting to withdraw D.V.C.No.13 of 2017 from the file of the Court of the Judicial Magistrate of First Class, Protection of Women from Domestic Violence Act, 2005, at Jogulamba Gadwal District, and transfer the same to any Metropolitan Magistrate Court at Nampally, Hyderabad, for trial and disposal in accordance with law.

2. Heard the learned counsel for the petitioners/accused Nos.1 to 3. The 1st respondent/de-facto complainant had refused the notice sent in this case. The notice was sent to the counsel appearing for her in the proceedings before the Court below. Even though, there is no representation for her today. Perused the record.

3. As per the records and submissions made, the 1st respondent herein is residing at Madhapur, Hyderabad, and she is a working woman. The notice sent to that address was refused by her. The returned postal cover reveals the same. This petition is filed to withdraw D.V.C.No.13 of 2017 from the file of the Court of the Judicial Magistrate of First Class, Protection of Women from Domestic Violence Act, 2005, at Jogulamba Gadwal District, and transfer the same to any Metropolitan Magistrate Court at Nampally, Hyderabad.

4. Under these circumstances, the proposed transfer would not cause any prejudice or injustice or in any way put the 1st respondent/de-facto complainant to inconvenience. Accordingly,

D.V.C.No.13 of 2017 is withdrawn from the file of the Court of the Judicial Magistrate of First Class, Protection of Women from Domestic Violence Act, 2005, at Jogulamba Gadwal District, and transferred to the Court of the Chief Metropolitan Magistrate, Metropolitan Criminal Courts, Nampally, Hyderabad, for trial and disposal in accordance with law.

5. The Criminal Petition is, accordingly, allowed.

Pending miscellaneous petitions, if any, in this Criminal Petition, shall stand closed.

26th October, 2017
Bvv



Dr. SHAMEEM AKTHER, J