

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

TRANSFER CRIMINAL PETITION No.328 OF 2016

ORDER:

This transfer criminal petition, under Section 407 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed to withdraw C.C. No.313 of 2016 pending on the file of I Additional Judicial Magistrate of I Class, Narasaraopet, Guntur District, and transfer the same to any other court at Kurnool or at Mahaboobnagar, on the sole ground that the petitioners are facing life threat, whenever they are attending to court in connection with C.C. No.313 of 2016.

During hearing, it is brought to the notice of this court that on 05.08.2016 when the petitioners attended the court in connection with the above C.C., the men of the second respondent threatened to kill them as they are having faction background. The same was reported to the police on the same day and also sent a copy to the higher authorities, but no purpose was served.

Therefore, in view of the threat, the petitioners sought for withdrawal of the matter from the file of I Additional Judicial Magistrate of First Class, Narasaraopet, Guntur District, transfer the same either to the court at Kurnool or at Mahaboobnagar.

The only apprehension of the petitioners is that the men of second respondent may at any time cause bodily injury to them they may stoop to the extent of killing the men of the petitioners whenever they attends the court, but that itself is not a ground.

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However, taking into consideration of the apprehension of the petitioners and to have a fair trail, without any fear in attending the court, I deem it appropriate to direct the I Additional Judicial Magistrate of I Class, Narasaraopet, Guntur District, to provide protection to the petitioners, whenever they attends the court in connection with C.C. No.313 of 2016, subject to meeting expenses, on receipt of any requisition of the petitioners in writing.

With the above direction, the transfer criminal petition is disposed of.

Miscellaneous petitions, if any, pending in this transfer criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 02.01.2017
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