

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

TRANSFER CRIMINAL PETITION No.226 of 2017

ORDER :

This petition is filed by the petitioner/de facto complainant under Section 407 Cr.P.C., seeking transfer of C.C.No.219 of 2016 on the file of the I Additional Judicial Magistrate of First Class, Kadapa, to the IX Metropolitan Magistrate, Kukatpally at Miyapur.

Heard the learned counsel for the petitioner, the learned Public Prosecutor representing the State and the learned counsel for respondent No.2, who is the sole accused.

The petitioner is seeking transfer of the said C.C. stating that she is a resident of Anjaneya Nagar Colony, Moosapet, Ranga Reddy District; that she is unable to attend the Court at Kadapa and there is life threat to her.

The same is opposed by the learned counsel for respondent No.2/ accused.

Though respondent No.2 filed another application in Tr.Crl.P.No.181 of 2017 seeking transfer of D.V.C.No.17 of 2017 on the file of the IX Metropolitan Magistrate, Miyapur, to the I Additional Judicial Magistrate of First Class, Kadapa, the same is disposed of today, for no grounds to transfer.

The other contentions of the learned counsel for the petitioner in the course of hearing are that there is a life threat to the petitioner and the witnesses are prepared to come to Hyderabad Court at Miyapur and affidavits of those witnesses are chosen to be filed, it is, in fact, unknown to law even to permit filing of affidavits to transfer from the witnesses saying, no objection to come, if at all to accommodate the accused or the complainant, as the case may be.

So far as the life threat of the petitioner is concerned, besides there is no basis, it is also the duty of the Court to take care of, thereby, while disposing of the transfer petition, for no grounds to transfer, the Deputy Superintendent of Police is directed to provide police protection to her on paying usual charges, by virtue of this order, for attending the Court whenever required during pendency of the case.

Accordingly, the Transfer Criminal Petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date: 26-10-2017

Note:
Issue C.C. tomorrow.
B/o.
pab