

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Transfer Criminal Petition No.68 of 2018

ORDER:

This Transfer Criminal Petition, under Section 407 of the Code of Criminal Procedure, 1973, is filed by the petitioner/de-facto complainant, to withdraw C.C.No.1642 of 2015 from the file of XIV Metropolitan Magistrate, Cyberabad at Kukatpally, and transfer the same to any Court at Nampally, Hyderabad, for trial and disposal in accordance with law.

2. Heard the learned counsel for the petitioner/de-facto complainant, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioner/de-facto complainant would submit that the respondents 2 to 4/accused Nos.1 to 3 are giving continuous threats to the petitioner/de-facto complainant and asking him not to give evidence in the impugned Calendar Case No.1642 of 2015 on the file of XIV Metropolitan Magistrate, Cyberabad at Kukatpally. There is life threat to the petitioner/de-facto complainant and ultimately prayed to allow the application as prayed for.

4. The threats alleged to have been given are not to depose against the accused in the impugned Calendar Case. The threats subsist even after the request of the petitioner/de-facto complainant is considered. There is no document to show that the allegations made in this Criminal Petition are brought to the notice of the officers concerned to take necessary action in the matter. However, the

submissions made on behalf of the petitioner/de-facto complainant cannot be discarded.

5. In view of the facts and circumstances of the case, the Station House Officer, KPHB Police Station, Cyberabad Commissionerate, is directed to provide adequate protection to the petitioner/de-facto complainant whenever he visits the Court to give evidence in Calendar Case No.1642 of 2015 on the file of XIV Metropolitan Magistrate, Cyberabad at Kukatpally.

6. With the above direction, this Transfer Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Transfer Criminal Petition, shall stand closed.

14th March, 2018
Bvv

Dr. SHAMEEM AKTHER, J

