

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

TRANSFER CRIMINAL PETITION NO.112 OF 2017

ORDER:

This transfer criminal petition is filed by the petitioner under Section 407 Cr.P.C. to withdraw SC No.59 of 2015 on the file of the I Addl. District and Sessions Judge, Machilipatnam and transfer the same to any Court at Guntur.

2. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner, who is the de facto complainant is getting threatening calls when he attended the Court below. On complaint given by him, a girl missing case was registered. After filing charge sheet, the same was numbered as SC No.59 of 2015.

4. There is no requirement for the petitioner to attend the Court of Session on each and every date of hearing. The petitioner has not filed any document to show the alleged threats or any material to substantiate the same in his favour.

5. Learned counsel for the petitioner could not state the stage of the Sessions Case. The apprehension of the petitioner is based upon surmises and imaginations. Therefore, the petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Transfer Criminal Petition is dismissed. However, the petitioner-de facto complainant

need not attend the Sessions Court in connection with S.C.No.59 of 2015 unless he is summoned in the above case. Miscellaneous petitions, if any pending in this Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 21-02-2018.

Hsd

