

SMT JUSTICE T. RAJANI

TRANSFER CRIMINAL PETITION No.7 of 2017

ORDER:

The transfer criminal petition is filed seeking transfer of the CC.No.1053 of 2016 on the file of the II Additional Judicial First Class Magistrate, Tanuku, West Godavari District, to any court in Sanga Reddy District.

2. Heard the counsel for the petitioner and the learned Public Prosecutor appearing for the second respondent. None appears for the first respondent, in spite of notice.

3. The transfer is sought on the ground that the petitioner is a resident of Germany and he is finding it difficult to go to Tanuku after reaching India. But the said difficulty cannot put the other party to difficulty, when, admittedly, the first respondent is residing in Tanuku. Hence, this Court opines that it is not a fit case for transfer of the case, as prayed for. However, the plea of the counsel for the petitioner with regard to the difficulty of the petitioner to attend the Court on every date of adjournment, can be taken care of by directing the Court below not to insist upon the presence of the petitioner, unless it is necessary for the proceedings of the case.

The transfer criminal petition is allowed in part, as indicated above. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

T. RAJANI, J

January 5, 2018
Note: Furnish CC today.
(B/o) DSK