

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER CRIMINAL PETITION No.242 of 2018

ORDER :

The petitioner is no other than the wife of respondent No.2. It is on her report to the local police of Patamata Police Station, Vijayawada Commissionerate, Crime No.650 of 2012, dated 09.09.2012, for the offences punishable under Sections 498-A and 506 IPC registered and after investigation police filed the charge sheet, that was taken cognizance and now pending as C.C.No.1076 of 2015 on the file of the IV Additional Chief Metropolitan Magistrate, Vijayawada.

2. The petitioner is claiming as practicing advocate. Respondent No.2/accused is undisputedly resident of Vijayawada including from the transfer petition address. She is seeking for transfer of the case to Nampally Courts at Hyderabad, State of Telangana, by saying there is alleged apprehension from the so-called threats.

3. There is no basis to say there are any threats, much less with particulars giving of any report to the police if at all to take any action. Thus, there are no grounds to transfer even respondent No.2 not chosen to appear despite the notice sent unclaimed initially and as refused later, from the endorsements. If at all there is any bonafides of apprehension, she is entitled on payment basis for assistance of the police.

4. With the above observations, the transfer criminal petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

Dr. B. SIVA SANKARA RAO, J

27th November 2018

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