



**IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3397]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE VENUTHURUMALLI
GOPALA KRISHNA RAO**

TRANSFER CRIMINAL PETITION NO: 9/2026

Between:

1. DR S LAVANYA, D/O S. RAJA ISALIAH W/O SUMANKAKARLA, AGED ABOUT 38 YEARS, OCC PRIVATE EMPLOYEE. R/O H.NO. 45-23-1-306, ASHOK AVENUE ASHOK NAGAR, KURNOOL CITY AND DISTRICT.
2. SANGATI RAJA ISALIAH, S/O AGED ABOUT 72 YEARS, RTD EMPLOYEE R/O H.NO. 45-23-1-306, ASHOK AVENUE ASHOK NAGAR, KURNOOL CITY AND DISTRICT.
3. DADEPOGU NIRMULAMMA, W/O SANGATI RAJA AGED ABOUT 69 YEARS. R/O H.NO. 45-23-1-306, ASHOK AVENUE ASHOK NAGAR, KURNOOL CITY AND DISTRICT.

...PETITIONER(S)

AND

1. MUKKARA FLORENCE SUBHASHINI, W/O LATE KAKARLASYAM MOHAN, AGED 71 YEARS, R/O H.NO. 11-371/1 KAKARLA NILAYAM, ISLAMPET, PODILI,

PRAKASAM DISTRICT.

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT, AMARAVATI.

...RESPONDENT(S):

pleased to withdraw D.V.C.No. 14 of 2025 now pending on the file of the Judicial First Class Magistrate, Podili, Prakasam District and transfer the same to the court of learned Judicial Magistrate of First Class-cum-Proh. and Excise, Kurnool, to be tried along with D.V.C.No. 17 of 2025, having competent jurisdiction to try the same, in the interest of justice and to pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings D.V.C. No. 14 of 2025 now pending on the file of the Judicial First Class Magistrate, Podili, Prakasam District, pending disposal of the main Transfer petition, in the interest of justice, and to pass

Counsel for the Petitioner(S):

1. J JANAKIRAMI REDDY

Counsel for the Respondent(S):

1. D. SUMANTH

2. PUBLIC PROSECUTOR

The Court made the following:

THE HON'BLE SRI JUSTICE V.GOPALA KRISHNA RAO**TRANSFER CRIMINAL PETITION No.9 of 2026****ORDER:**

The petitioners herein have filed the present petition under Section 447 of B.N.S.S., seeking to transfer of D.V.C.No.14 of 2025, on the file of the Judicial Magistrate of First Class, Podili, and transfer the same to the Court of the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool, to be tried along with D.V.C.No.17 of 2025.

2. The case of the petitioners, in brief, is as follows:

- I. The case of the 1st petitioner is that she is legal wedded wife of the son of the 1st respondent and their marriage was solemnized on 21.02.2019 as per the Christian rites and customs at Podili Baptist Church, Prakasam District. The 1st petitioner pleaded that in view of the harassment made by the 1st respondent herein and her son, she lodged a complaint against them for the offences punishable under Section 498-A IPC r/w 34 IPC and Section 3 & 4 of Dowry Prohibition Act, 1961, before the Disha Police Station, Kurnool, after completion of investigation, the police laid a

charge-sheet and the same was numbered as C.C.No.3440 of 2023 which is pending before the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool, viz., before the same Court, wherein 1st respondent herein and her son are appearing before the said Court regularly.

- II. The petitioner further pleaded that she has filed Domestic Violence Case *vide* D.V.C.No.17 of 2025 on the file of the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool, seeking different reliefs under Domestic Violence Act, 2005, against the 1st respondent herein and her son. She further pleaded that counter blast to the aforesaid case proceedings, the 1st respondent herein have filed a Domestic violence case *vide* D.V.C.No.14 of 2025 on 02.12.2025 before the learned Judicial Magistrate of First Class, Podili, after 10 months of filing of her case, the mother-in-law filed Domestic Violence case against daughter-in-law and her parents.
- III. The petitioner further pleaded that the 1st respondent is having support of her son i.e., 1st petitioner's husband and they have got sufficient means and whereas the 1st

petitioner is taking shelter at her parents' house and who are senior citizens and are unable to accompany her all the way from Kurnool to Podili on each and every adjournment and the distance between Podili and Kurnool is approximately 200 kms, along with her child aged about 5 years. She further pleaded that in order to avoid conflicting decisions, she is seeking transfer of D.V.C.No.14 of 2025 which is filed by her mother-in-law/1st respondent before the learned Judicial Magistrate of First Class, Podili, Prakasam District to the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool.

3. Heard learned counsel appearing on both sides.
4. Learned counsel for respondent No.1 would contend that respondent No.1 is aged about 71 years and is unable to travel from Podili to Kurnool. In case, the present petition is allowed, it is very difficult for her to appear before the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool.
5. The material on record *prima facie* shows that, the 1st petitioner herein filed two cases against the 1st respondent and her son i.e., C.C.No.3440 of 2023 and D.V.C.No.17 of 2025, prior

to the institution of D.V.C.No.14 of 2025 by the 1st respondent before the learned Judicial Magistrate of First Class Court, Podili, Prakasam District and they have to appear before the said Court at Kurnool in connection with the said two cases. Furthermore, after 10 months of filing of the Domestic Violence Case by daughter-in-law against mother-in-law and her son, the 1st respondent herein filed a Domestic Violence Case *vide* D.V.C.No.14 of 2025 before the learned Judicial Magistrate of First Class Court, Podili, against the daughter-in-law and her parents.

6. On considering the aforesaid circumstances, this Court of the considered view that, it is a fit case to allow the transfer petition by withdraw and transfer the DVC.No.14 of 2025 from the learned Judicial Magistrate of First Class, Podili to the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool. On considering the submissions made by the learned counsel for the respondent, since the age of the 1st respondent is about 71 years, the personal appearance of the 1st respondent/mother-in-law is dispensed with before the transferee Court, in connection with D.V.C.No.14 of 2025 which is filed by the 1st respondent except on the date of recording of her

evidence, in cross examination, or on any other day her presence is required as directed by the learned Judicial Magistrate of First Class-cum-Prohibition and Excise, Kurnool.

7. Accordingly, the Transfer Criminal Petition is allowed. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any pending and the Interim order granted earlier, if any, shall stand closed.

JUSTICE V.GOPALA KRISHNA RAO

Date: 24.04.2026

LSP