



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION No. 13153 OF 2025 (407(Cr.PC) /
447(BNSS))

BETWEEN:

1. SRI A M SURESH RAJ
S/O. LATE MUNIVENKATAPPA
AGED ABOUT 55 YEARS
No.807, B - BLOCK PRESTIGE LEELA
HAL OLD AIRPORT ROAD
2ND STAGE KODIHALLI
BANGALORE – 560 008.

AS PER AADHAR
THOTLI VILLAGE, CHITNALLI
SUGATUR HOBLI
KOLAR - 563 101.

...PETITIONER



(BY SRI P P HEGDE, SENIOR COUNSEL FOR
SMT. SANDHYA U. PRABHU, ADVOCATE)

AND:

1. SMT. J HEMALATHA
W/O. A. M. SURESH RAJ
AGED ABOUT 56 YEARS
SETTL MINORI
HAL CENTRAL TOWNSHIP
JAWARTHAR NAGAR



MARATHAHALLI
BENGALURU-560 037.

...RESPONDENT

(BY SMT. LIKITHA B, ADVOCATE FOR
SRI ARUN G, ADVOCATE)

THIS CRL.P IS FILED UNDER SECTION 407 Cr.P.C
PRAYING TO TRANSFER THE FILE OF THE
CRL.MISC.No.211/2023 ON THE FILE OF THE METROPOLITAN
MAGISTRATE TRAFFIC COURT, MAYO HALL I AT BENGALURU
TO PRINCIPAL CIVIL JUDGE (Jr.Dn.) AND JMFC KOLAR.

THIS PETITION, COMING ON FOR ORDERS THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL ORDER

This petition is filed under Section 407 of Cr.P.C
praying to transfer Criminal Miscellaneous No.211/2023
pending on the File of Metropolitan Magistrate Traffic Court
Mayohall -I, Bangalore to Principal Civil Judge (Junior
Division) and J. M. F.C. Kolar.

2. Heard learned Senior counsel for the petitioner
and learned counsel for the respondent.

3. The respondent has filed petition under Section
12 read with Sections 18, 19, 20 of Protection of Women



from Domestic Violence Act, 2005 against the petitioner and it is pending in Criminal Miscellaneous No.211/2023 on the file of Metropolitan Magistrate Traffic Court Mayohall -I, Bangalore. In the said petition, the respondent has sought prohibitory order, maintenance, compensation, return of gold items etc. In the said petition initially interim maintenance of Rs.1,00,000/- has been ordered to be paid by the petitioner to the respondent by order dated 13.10.2023. The petitioner has not challenged the said order and he has complied the said order. Subsequently, the respondent has filed application seeking enhancement of that interim maintenance to Rs.2,00,000/-. The said application has been allowed by order dated 17.03.2025 and interim maintenance has been enhanced to Rs.2,00,000/- per month. It is submitted that the petitioner has challenged the said order before the Sessions Court and the Criminal Appeal filed by him has been dismissed. Now the said petition is posted for recording of petitioner's evidence. The petitioner is



seeking transfer of the said petition from Bangalore to Kolar on the ground that he has underwent renal transplantation on 13.07.2023 and he has been advised to avoid crowded places and contact with the infected persons. The petitioner has produced one certificate dated 03.06.2025 issued by Dr. Vishwanath, Manipal Hospital, which indicates that petitioner underwent renal transplantation on 13.07.2023 and he is suffering from type -II diabetes. Wherein, it is advised to avoid crowded places/contact with infected persons and isolation to be continued.

4. Learned counsel for the responded placing some documents on record would contend that the petitioner gave programs in Zee Kannada News Television during October, November and December 2025 and he travelled to Delhi on 13.10.2025 and to London on 02.07.2025. Learned counsel for respondent submitted that the petitioner had earlier complied the interim maintenance wherein maintenance was awarded in sum of



Rs.1,00,000/- and after enhancement he has not complied the interim maintenance of Rs.2,00,000/- per month.

5. The petitioner is respondent in the domestic violence proceedings. There is no need for the physical presence of the petitioner on each hearing date in the said proceedings. It is submitted that now the said case is posted for petitioner's evidence. The petitioner therein is the respondent herein. The counsel for petitioner can cross examine the witness in the said proceedings examined on behalf of the respondent herein who is the petitioner therein. In order to lead the respondent's evidence, the petitioner herein, the respondent therein can, if he is so advised, lead the evidence through videoconference. Considering the above aspects, the petitioner has not made out any grounds for transfer as sought for.

6. In the result, the petition is ***dismissed.***

7. Learned Magistrate shall not insist the physical presence of the petitioner on each date of hearing and also



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permit the recording of evidence of the petitioner herein,
respondent therein through video conference.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE

DSP
List No.: 2 SI No.: 7
Ct.sm