



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

CRIMINAL PETITION NO. 4556 OF 2025
[(407(Cr.PC) / 447(BNSS))]

BETWEEN:

[REDACTED]

...PETITIONER

(BY SRI. MANJUNATHA V.,ADVOCATE)

AND:

[REDACTED]

...RESPONDENT

(BY SMT. ANUSHA ASUNDI, ADVOCATE FOR
SRI. A. MADHUSUDHANA RAO., ADVOCATE)

THIS CRL.P IS FILED UNDER SECTION 407 CR.PC (FILED
UNDER SECTION 447 BNSS) PRAYING TO TRANSFER THE
PETITION IN CRL.MISC.NO.159/2024 ON THE FILE OF THE





PRINCIPAL FAMILY COURT AT CHIKKAMAGALURU AND TRANSFER THE SAME TO THE IV ADDITIONAL PRINCIPAL JUDGE, BENGALURU WHEREIN M.C.NO.7582/2024 IS PENDING BEFORE SAME PARTIES.

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 by the petitioner - husband under Section 407 of Code of Criminal Procedure read with Section 447 of Bharatiya Nagrika Suraksha Sanhita, 2023 seeking transfer of Criminal Miscellaneous No.159/2024 pending on the file of Principal Family Court, Chikkamagaluru to IV Additional Principal Judge, Family Court, Bengaluru wherein M.C.No.7582/2024 is pending.

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

3. The marriage of petitioner with the respondent has taken place on 28.03.2024 at Chikkamagaluru. After



marriage, the respondent resided with the petitioner in Bengaluru. Thereafter, dispute started between the petitioner and the respondent. The respondent thereafter started residing in Chikkamagaluru in her parents' house. The respondent filed Criminal Miscellaneous No.159/2024 filed under Section 144 of BNSS against the petitioner herein seeking maintenance of Rs.50,000/- per month. The respondent appeared in the said case. The petitioner has sought transfer of the said maintenance petition on the ground that he is residing in Bengaluru. He is having a widowed mother who is dependent on him and he cannot leave her alone in Bengaluru and travel to Chikkumagaluru for every date of hearing. On that ground, he sought transfer of maintenance petition pending before Chikkamagaluru to Bengaluru.

4. On query, both learned counsels submits that, there is no any order of interim maintenance by the Family Court, Chikkamagaluru. Learned counsel for petitioner



submits that, no such prayer was made by the respondent - wife.

5. The respondent is not having any avocation and she is claiming maintenance from her husband. It is the convenience of the wife which is to be looked into whenever transfer of the cases is sought. If the case is transferred as sought for by the petitioner as well, it will cause inconvenience to the respondent - wife as she has to travel from Chikkamagaluru to Bengaluru as she is not having any avocation and no interim maintenance is ordered by the Family Court, Chikkamagaluru. Mainly because the petitioner's mother is widowed aged lady is not a ground for seeking transfer of the case from Chikkamagaluru to Bengaluru where the petitioner is residing. Considering the above aspect, there are no grounds made out for transfer of the maintenance case as sought for.



6. Learned counsel for petitioner submits that, the petitioner met with accident and he has sustained injury to his leg and he is not able to travel from Bengaluru to Chikkamagaluru to lead respondents' evidence. The said aspect is not made out a ground in the present petition to be considered.

7. Considering all the above aspects, there are no grounds made out by the petitioner seeking transfer of maintenance petition from Chikkamagaluru to Bengaluru. In the result, the Criminal Petition is ***dismissed***.

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE