

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2999 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is filed requesting to quash the proceedings in Domestic Violence Case No.13 of 2017 on the file of the Additional Judicial Magistrate of First Class, Nirmal.

2. Petitioners are arrayed as respondent Nos.2 to 6 in the aforesaid D.V.C.

3. Heard Sri Nazeer Khan, learned counsel for the petitioners, and learned Additional Public Prosecutor for the State of Telangana.

4. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ (Criminal Petition (Sr.) No.22371 of 2015, dated 17.07.2015), and **Giduthuri Kesari Kumar v. State of Telangana**², expressed that the relief under Section 482 of the Code is not available to Domestic Violence Cases, as the proceedings under Domestic Violence Act are of civil nature.

5. Hence, the present Criminal Petition is dismissed, however, observing that the presence of petitioners herein viz., Fayaz Khan, Zaheer Khan, Sabera Begum, Asif Ali Khan and Farzana, is dispensed with, in D.V.C.No.13 of 2017 on the file of

¹ 2015 (2) ALD (CrL.) 764 (A.P.)

² 2015 (2) ALD (CrL.) 470 (A.P.)

Additional Judicial Magistrate of First Class, Nirmal, but they shall appear before the Court below as and when the learned Magistrate directs them to appear, if necessary. Respondent No.1 in the D.V.C., who is the husband of respondent No.2 herein - complainant, would represent the petitioners herein, in the aforesaid D.V.C.

6. Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

A.SHANKAR NARAYANA, J

April 12, 2017.

Note: Issue C.C. by 17.04.2017.
B/o.MD

