

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2401 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed requesting to quash the proceedings in D.V.C.No.7 of 2015 on the file of Additional Judicial Magistrate of First Class, Bobbili, Vizianagaram District, so far as the petitioners herein are concerned.

2. Petitioners are arrayed as respondent Nos.4 to 7 in the aforesaid D.V.C. Though, quashment of the proceedings in the D.V.C. is sought for in this Criminal Petition, this Court, in **Gaddaameedi Nagamani v. State of Telangana**¹ (Criminal Petition No.22371 of 2015, dated 17.07.2015), and **Giduthuri Kesari Kumar v. State of Telangana**², expressed that the provisions of Section 482 Cr.P.C. are inapplicable to Domestic Violence Cases, as the proceedings under the Domestic Violence Act are of civil nature.

3. Learned counsel for the petitioners would refer to an order, dated 20.07.2016, passed by this Court in CrI.P.No.10499 of 2016, wherein the appearance of respondent Nos.2, 3 and 8 in the very same D.V.C., which is sought to be quashed now, was exempted, and requests to exempt the presence of petitioners herein also.

¹ 2015 (2) ALD (CrI.) 746 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

4. Admittedly, respondent No.1 in the D.V.C. is neither a party to the present Criminal Petition nor in Crl.P.No.10499 of 2016. Therefore, the presence of petitioners herein also can be exempted on the same lines, as exempted by this Court so far as respondent Nos.2, 3 and 8 in the said D.V.C., who are the petitioners in Crl.P.No.10499 of 2016, are concerned.

5. Accordingly, while dismissing the present Criminal Petition, presence of the petitioners herein i.e., Angajala @ Anala Kamala Kumari, Anala Venkata Satyanarayana, Angajala Nagaraju and Angajala Murali, who are respondent Nos.4 to 7 in the aforesaid D.V.C., is exempted in D.V.C.No.7 of 2015 on the file of Additional Judicial Magistrate of First Class, Bobbili, Vizianagaram District, but, however, they shall appear as and when the learned Magistrate directs them to appear, if absolutely necessary.

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

A. SHANKAR NARAYANA, J

March 22, 2017.
MD