

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2408 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.17 of 2016 on the file of the Judicial First Class Magistrate, Bhodan, Nizamabad District.

2. Petitioners are arrayed as respondent Nos.1 and 2 in the aforesaid D.V.C. Petitioner No.1 is the husband, whereas petitioner No.2 is the mother-in-law of respondent No.1 - *de facto* complainant.

3. Heard Sri Kowturu Pavan Kumar, 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.

¹ 2015 (2) ALD (CrI.) 764 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

5. Hence, the present Criminal Petition is disposed of, however, observing that the presence of petitioner No.2 herein i.e., Smt. M. Aruna Kumari, is dispensed with in D.V.C.No.17 of 2016 on the file of Judicial Magistrate of First Class, Bodhan, Nizamabad District, but she shall appear before the Court below as and when the learned Magistrate directs her to appear, if necessary. Petitioner No.1 herein – husband of the *de facto* complainant would represent petitioner No.2 herein, in the aforesaid D.V.C.

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

March 24, 2017.
MD

A.SHANKAR NARAYANA, J

