

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.16745 OF 2016

ORDER:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973, requesting to quash the proceedings in D.V.C. No.90 of 2016 on the file of Chief Metropolitan Magistrate, Vijayawada.

2. The petitioners are arraigned as respondent Nos.1 and 2 in the above Domestic Violence Case filed by respondent No.1 herein. Petitioner No.1 is husband of respondent No.1, while petitioner No.2 is her mother-in-law.

3. Heard Sri Venugopala Rao Pasnooru, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ and **Giduthuri Kesari Kumar v. State of Telangana**², held that under Section 482 of Cr.P.C., the request for quashment of proceedings in Protection of Women from Domestic Violence Act, 2005, cannot be entertained as the proceedings under challenge are purely of civil nature. Following the same principle, Criminal Petition Nos.365 and 2025 of 2017 were disposed of on 13.03.2017 and

¹ 2015 (2) ALD (CrL.) 746 (A.P.)

² 2015 (2) ALD (CrL.) 470 (A.P.)

14.03.2017, respectively, exempting appearance of the petitioner No.2 only. Hence, the present petition is also required to be disposed of on the same lines.

5. Therefore, the Criminal Petition is disposed of, at the admission stage itself, dispensing with the presence of the petitioner No.2 - respondent No.2, who is mother-in-law of respondent No.1 - complainant, in D.V.C. No.90 of 2016 on the file of Chief Metropolitan Magistrate, Vijayawada, and petitioner No.1 - respondent No.1, who is husband of complainant, would be representing her mother. But, however, she shall appear before the learned Magistrate as and when directed.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

March 23, 2017.
Mgr