

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6377 OF 2017

ORDER:

Heard learned counsel for the petitioner and also the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent and also perused the impugned order dated 03.05.2017, CrI.M.P.No.697 of 2017 in pending D.V.C.No.13 of 2017, passed by the VI Metropolitan Magistrate, Medchal, Ranga Reddy District.

2. Undisputedly, there is an efficacious right of appeal under Section 29 of the Act including against an exparte order under Section 23 of the Act for the petitioner to invoke before the Court of Session.

3. Having regard to the above, without going into the merits, by giving liberty to the petitioner to file such appeal with any stay petition for interim order against the exparte order if at all to consider with any conditions within one week from date of receipt of the order and on such filing, without insisting for any expiry of the limitation period, the Court of Session shall entertain the appeal.

4. Accordingly and with the above direction, this Criminal Petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO,J

16.08.2017
SS