

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3405 OF 2017

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.6 of 2016 on the file of Additional Judicial Magistrate of First Class, Kothapeta, East Godavari District, Andhra Pradesh.

2. The petitioners viz., Pilla Srinivasa Rao, Pilla Narasamma, Pilla Rambabu, Sadhanala Nagamani, are respondent Nos.1, 2, 3 and 4, respectively, in the above Domestic Violence Case filed by respondent No.1 herein viz., Smt. Pilla Ravi Kumari, the aggrieved person.

3. The petitioners, who are respondent Nos.1 to 4 in the D.V.C., are husband, mother-in-law, brother-in-law and sister-in-law, respectively, of respondent No.1 herein.

4. Heard Sri Gade Venkateswara Rao, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Andhra Pradesh, and perused the material on record.

5. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ and **Giduthuri Kesari Kumar v. State of Telangana**²,

¹ 2015 (2) ALD (CrL.) 746 (A.P.)

² 2015 (2) ALD (CrL.) 470 (A.P.)

held that under Section 482 of Cr.P.C., the request for quashment of proceedings in The 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 14.03.2017, respectively, exempting appearance of the petitioners. 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 petitioner Nos.2, 3 and 4 (respondent Nos.2, 3 and 4) alone in D.V.C. No.6 of 2016 on the file of Additional Judicial Magistrate of First Class, Kothapeta, East Godavari District, Andhra Pradesh, till conclusion of the proceedings. However, petitioner No.1 (respondent No.1 in the said D.V.C.), who is husband of respondent No.1 herein, is directed to represent petitioner Nos.2, 3 and 4 herein in the said D.V.C. But, they shall appear before the learned Magistrate as and when they are directed.

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

A. SHANKAR NARAYANA, J

April 28, 2017.
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