

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2671 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.20 of 2016 on the file of Chief Metropolitan Magistrate, Visakhatpanam, Andhra Pradesh State.

2. The petitioners herein are arraigned as respondent Nos.3 and 4 in the above Domestic Violence Case filed by respondent Nos.2 to 4 herein. Petitioner No.1 herein is sister-in-law of respondent No.2 herein, while petitioner No.2 is husband of petitioner No.1. Respondent No.2 is mother of respondent Nos.3 and 4, who are her minor children and her husband died and she filed the above DVC against her parents-in-law, who are arraigned as respondent Nos.1 and 2, respectively, in the above DVC and the present petitioners.

3. Heard Sri P. Durga Prasad, 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,

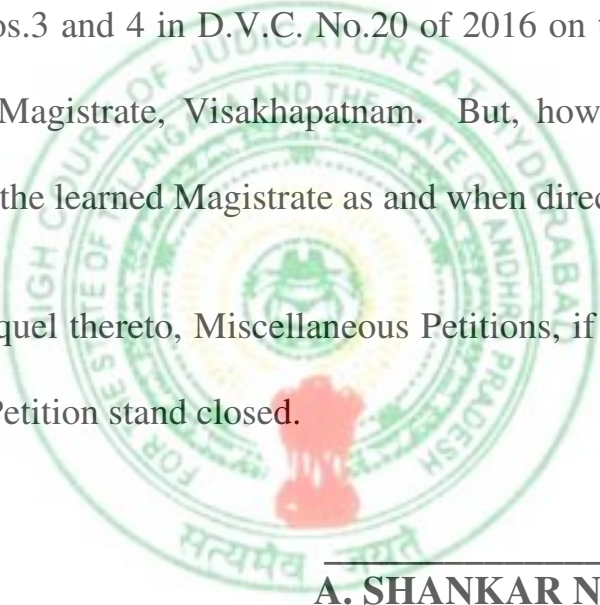
¹ 2015 (2) ALD (CrL.) 746 (A.P.)

² 2015 (2) ALD (CrL.) 470 (A.P.)

2005, cannot be entertained as the proceedings under challenge are purely of civil nature. Following the same principle, this Court disposed of Criminal Petition Nos.365 and 2028 of 2017 on 13.03.2017 and 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 petitioners - respondent Nos.3 and 4 in D.V.C. No.20 of 2016 on the file of Chief Metropolitan Magistrate, Visakhapatnam. But, however, they 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 31, 2017.

Mgr