

The Hon'ble Sri Justice A.Shankar Narayana

Criminal Petition No.2980 of 2017

Order:

The present Criminal Petition is filed under Section 482 of the Code of the Criminal Procedure, 1973 (Cr.P.C.), requesting to quash the proceedings in D.V.C.No.110 of 2016 on the file of the Additional Judicial Magistrate of First Class at Karimnagar.

One Vijay Gupta and the petitioners *viz.*, T.Madhusudhan Rao, Smt.Prameela, J.Swathi and Srinivasulu are arrayed as respondent Nos.1 to 5 respectively, in the above Domestic Violence Case filed by respondent No.2 herein *viz.*, Smt.P.Lavanya, the aggrieved person. Vijay Gupta is the husband of respondent No.2. Petitioner Nos.1 and 2 are the parents and petitioner Nos.3 and 4 are the sister and brother-in-law respectively of the said Vijay Gupta.

Heard Sri S.Tulasi Das, learned Counsel for the petitioners, and the learned Assistant Public Prosecutor for the State of Telangana and perused the material on record.

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 The Protection of Women from Domestic Violence Act, 2005, cannot be entertained as the same 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 therein. Hence, the present Criminal Petition is also required to be disposed of on the same lines.

Therefore, the Criminal Petition is disposed of, at the admission stage itself, dispensing with the presence of petitioner Nos.2, 3 and 4 herein (respondent Nos.2 to 5 in DVC) in D.V.C.No.110 of 2016 on the file of the Additional Judicial Magistrate of First Class at Karimnagar, till conclusion of the proceedings. However, respondent No.1 in the said D.V.C. who is the husband of respondent No.2 herein, is appearing in the said D.V.C., shall also appear on behalf of the petitioners herein. The petitioners, however,

¹ 2015 (2) ALD (Crl.) 746 (A.P.)

² 2015 (2) ALD (Crl.) 470 (A.P.)

shall appear before the learned Magistrate as and when they are directed, in case their presence is necessary.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(A.Shankar Narayana, J)

Dt: 13th April, 2017
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