

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3454 OF 2017

ORDR:

The present petition, under Section 482 of the Code of Criminal Procedure (for short, 'the Code'), is filed requesting to quash the proceedings in Domestic Violence Case No.7 of 2017 on the file of Judicial Magistrate of First Class (Special Mobile Court), Nalgonda.

2. The petitioners 1 to 4 herein are arrayed as respondents 2 to 5 in the aforesaid D.V.C. Respondents 2 to 5 in the said Domestic Case Violence are the Mother-in-law, Brother-in-law, Co-sister and Sister-in-law of the *de facto* complainant respectively.

3. Heard Sri N. Jeevan Kumar, the learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana on behalf of respondent No1.

4. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ (Criminal Petition (SR) No.22371 of 2015, dt. 17.7.2015), and **Giduthuri Kesari Kumar v. State of Telangana**², expressed that the relief under Section 482 of the Code is not available to the petitioners, as the proceedings under D.V. Act are of civil nature. Following the same principle, Criminal Petition Nos.365 & 2025 of 2017 were

¹ 2015 (2) ALD (CrI.) 764 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

disposed of on 13.03.2017 and 14.03.2017 respectively, exempting the appearance of the petitioners therein, and the present petition is also liable to be dismissed on the same lines.

5. Accordingly, the Criminal Petition is disposed of, exempting the presence of the petitioners 1 to 4 herein, who are respondents 2 to 5 in the aforesaid D.V.C., till the conclusion of the proceedings in the Domestic Violence Case, since the 1st respondent, who is the husband of the *de facto* complainant is not a party-respondent herein, has been attending the Court in the aforesaid Domestic Violence Case and he would represent the present petitioners. However, in case the learned Magistrate directs the petitioners to appear whenever their presence is necessary, they shall appear before the learned Magistrate.

As a sequel thereto, miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

A. SHANKAR NARAYANA, J

Dt. 28.04.2017

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