

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2058 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the Code') requesting to quash the proceedings in Domestic Violence Case No.2 of 2015 on the file of III Additional Judicial Magistrate of First Class, Kothagudem.

The petitioners are arrayed as respondent Nos.2 to 5 in the aforesaid D.V.C. Petitioner Nos.1 to 3 are the father-in-law, mother-in-law and sister-in-law of respondent No.2/*de facto* complainant, whereas petitioner No.4 is the husband of petitioner No.3. The husband of respondent No.2/*de facto* complainant is respondent No.1 in the D.V.C., but he is not a party to the present petition.

Heard Sri K.V.L.Narasimha Rao, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana on behalf of respondent No.1.

This Court, in **Gaddaameedi Nagamani v. State of Telangana**¹ (Criminal Petition No.22371 of 2015, dated 17.07.2015), 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

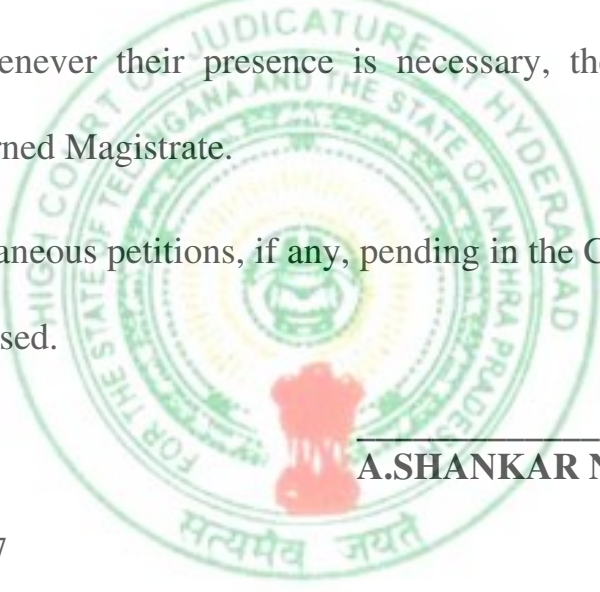
¹ 2015 (2) ALD (CrI.) 746 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

2017 were 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.

Accordingly, the Criminal Petition is dismissed, exempting the presence of the petitioners, who are respondent Nos.2 to 5 in the aforesaid D.V.C, till the conclusion of the proceedings in the Domestic Violence Case, and respondent No.1 in the D.V.C, who is the husband of respondent No.2/*de facto* complainant, shall represent them. However, in case the learned Magistrate directs the petitioners to appear whenever their presence is necessary, they shall appear before the learned Magistrate.

Miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

A.SHANKAR NARAYANA, J

Date: 15.03.2017

v v