

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2376 OF 2017

ORDER:

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.5 of 2016 on the file of I-Additional Judicial Magistrate of First Class, Proddatur, Kadapa District.

2. The petitioners 1 to 3 herein are arrayed as respondents 4 to 6 in the aforesaid D.V.C. Respondents 1 to 3 in the said Domestic Case Violence are the husband, mother-in-law and father-in-law respectively.

3. Heard Smt. P. Rajnai Reddy, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Andhra Pradesh on behalf of respondent No.2.

4. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ (Criminal Petition 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

¹ 2015 (2) ALD (CrI.) 746 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

same principle, Criminal Petition Nos.365 & 2025 of 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.

5. Accordingly, the Criminal Petition is dismissed, exempting the presence of the petitioners 1 to 3 herein, who are respondents 4, 5 & 6 in the aforesaid D.V.C., till the conclusion of the proceedings in the Domestic Violence Case, since other respondents 1 to 3, who are the husband, mother-in-law and father-in-law respectively, of the complainant herein, have been attending the Court in the aforesaid Domestic Violence Case and they 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. 22-03-2017

gbs