HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION Nos.5729 & 5733 of 2015

COMMON ORDER:

Impugning the taking cognizance of D.V.C.No.3 of 2014 by the learned III Additional Junior Civil Judge-cum-XXIV Metropolitan Magistrate, Kukatpally at Miyapur, these applications under Section 482 Cr.P.C. are filed.

This Court in detail dealt with the issue in **Gaddameedi Nagamani Vs. State of Telangana & Others**[1] by referring to several provisions of the Act including several expressions of the Apex Court of taking cognizance by numbering the case itself is an order prone to appeal under Section 29 of Domestic Violence Act as an efficacious remedy.

Having regard to the above, these Criminal petitions are disposed of by giving liberty to the petitioners by virtue of this order to file appeal under Section 29 before the Court of Session within one week from the date of receipt of a copy of this order and in such event, the learned Sessions Judge shall entertain the appeal without considering the period of limitation. Needless to say the petitioners can file an application for one to represent others under Section 37 of Criminal Rules of Practice, it is for the learned Magistrate to consider and permit.

Consequently, miscellaneous petitions, if any shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 29.08.2017
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[1] 2015 (2) ALD (Crl.) 764