

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION Nos.7252 and 7294 of 2017

COMMON ORDER:

These Criminal Petitions are filed by the petitioners/ respondent Nos.3 and 2 respectively, under Section 482 Cr.P.C seeking to quash the proceedings in D.V.C.No.19 of 2017 on the file of the Special Mobile Magistrate, Guntur, Guntur District.

Heard the learned counsel for petitioners and the learned Public Prosecutor representing the 1st respondent—State and perused the material on record.

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, the Criminal petitions are disposed of by giving liberty to the petitioners by virtue of this common 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.

¹ 2015 (2) ALD (CrL.) 764

Consequently, miscellaneous petitions, if any shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 23.08.2017
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