

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2556 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is filed requesting to quash the proceedings in Domestic Violence Case No.10 of 2016 on the file of II Additional Junior Civil Judge, Sattenapalli, Guntur District.

2. Petitioners are arrayed as respondent Nos.2, 4 and 5 in the aforesaid D.V.C. Petitioner No.1 is the mother-in-law, whereas petitioners Nos.2 and 3 are the sisters-in-law of respondent No.2 - complainant.

3. Heard Sri Mahadeva Kanthrigala, learned counsel for the petitioners, and learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ (Criminal Petition (Sr.) 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 Domestic Violence Cases, as the proceedings under Domestic Violence Act are of civil nature.

¹ 2015 (2) ALD (CrI.) 764 (A.P.)

² 2015 (2) ALD (CrI.) 470 (A.P.)

5. At this stage, learned counsel for the petitioners would request to dispense with the presence of petitioner Nos.1 and 3 herein, in the aforesaid D.V.C. and would submit that petitioner No.2 herein would represent petitioner Nos.1 and 3 herein, since, the whereabouts of respondent No.1 in the D.V.C., who is the husband of respondent No.2 herein – complainant, are not known.

6. Hence, the present Criminal Petition is disposed of, however, dispensing with the presence of petitioner Nos.1 and 3 herein i.e., Banka Annamma and Ch. Varalakshmi, in D.V.C.No.10 of 2016 on the file of II Additional Junior Civil Judge, Sattenapalli, Guntur District. But they shall appear before the Court below as and when the learned Judge directs them to appear, if necessary. Petitioner No.2 herein, who is the sister-in-law of respondent No.2 - complainant, would represent petitioner Nos.1 and 3 herein, in the aforesaid D.V.C.

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

A.SHANKAR NARAYANA, J

March 28, 2017.

MD