

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7922 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioner seeking to quash the order dated 06.07.2017 in CrI.M.P.No.1888 of 2017 in D.V.C.No.30 of 2016 passed by the I Additional Judicial First Class Magistrate, Kadapa.

In fact, as laid down by this Court in *Gaddameedi Nagamani V. The State of Telangana rep. by Public Prosecutor* (CrI.P (SR) Nos.22371 of 2015 and batch), there is an efficacious appeal remedy under Section 29 of the Domestic Violence Act, even against the interlocutory application order of the learned Magistrate to impugn before the Court of Sessions. Hence, the office objection holds good.

Having regard to the above, the Criminal Petition is closed by granting one week time from the date of receipt of copy of this order, to file an appeal before the Court of Sessions and in such an event the learned Sessions Judge shall entertain the same without insisting on the period of limitation.

The Registry is directed to return the original papers to the learned counsel for the petitioner.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 21-09-2017

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