

CRIMINAL PETITION Nos.9468 and 10036 of 2016

COMMON ORDER :

These Criminal Petitions are filed by petitioners, who are respondent No.1 and respondent Nos.2 to 4 respectively, seeking to quash the proceedings in D.V.C.No.58 of 2016 on the file of the learned Special Mobile Magistrate Court, Guntur.

2) Heard learned counsel for the petitioners, learned Public Prosecutor representing the State/respondent No.2 and Sri G.V.L.Murthy, learned counsel for respondent No.1 and perused the material on record.

3) As observed by this Court in *Gaddameedi Nagamani V. The State of Telangana rep. by Public Prosecutor* (CrI.P (SR) Nos.22371 of 2015 and batch), the application to quash the D.V.C. proceedings is not sustainable from the efficacious appeal remedy is available under Section 29 of the Domestic Violence Act.

4) In view of the above, there is nothing to entertain the quash petitions, but for, giving liberty to file appeal if at all within one week from date of receipt of copy of this order before the Court of Sessions and in such an event the learned Sessions Judge shall entertain the appeal without regard to period of limitation for appeal. Till then, the interim stay granted by this Court in the respective Criminal Petitions shall continue. The petitioners are

further at liberty to applications under Rule 37 of the Criminal Rules of Practice for one to represent others or Section 205 Cr.P.C. to represent through special vakalat holder and the learned Magistrate shall hear and pass orders by considering the same with necessary conditions.

5) Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 09.08.2017
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