

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2610 OF 2017

ORDER:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.), requesting to quash the proceedings in D.V.C. No.21 of 2016 on the file of II Additional Judicial Magistrate of First Class, Ongole.

2. The petitioners viz., Katari Singaiah, Katari Venkayamma and Davuluri Ramadevi, are respondent Nos.2, 3 and 4 in the above Domestic Violence Case filed by respondent No.2 herein viz., Katari Yasodara Sukanya, the aggrieved person. Respondent No.1 viz., Katari Krishna Kumar, in the D.V.C. is the husband of respondent No.2 herein. The petitioners herein are parents-in-law and sister-in-law of respondent No.2.

3. Heard Sri G. Vasantha Rayudu, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Andhra Pradesh, and perused the material on record.

4. This Court, in **Gaddameedi Nagamani v. State of Telangana**¹ and **Giduthuri Kesari Kumar v. State of Telangana**², held that under Section 482 of Cr.P.C., the request for quashment of proceedings in The Protection of Women from Domestic Violence

¹ 2015 (2) ALD (CrL.) 746 (A.P.)

² 2015 (2) ALD (CrL.) 470 (A.P.)

Act, 2005, cannot be entertained as the same are purely of civil nature. Following the same principle, Criminal Petition Nos.365 and 2025 of 2017 were disposed of on 13.03.2017 and 14.03.2017, respectively, exempting appearance of the petitioners therein. Hence, the present petition is also required to be disposed of on the same lines.

5. Therefore, the Criminal Petition is disposed of, at the admission stage itself, dispensing with the presence of the petitioners herein (respondent Nos.2, 3 and 4 in the DVC) in D.V.C. No.21 of 2017 on the file of II Additional Judicial Magistrate of First Class, Ongole, till conclusion of the proceedings. However, respondent No.1 in the said D.V.C (who is not a party hereto), who is husband of respondent No.2 herein, is directed to represent the petitioners herein in the said D.V.C. However, the petitioners shall appear before the learned Magistrate as and when they are directed, if their presence is absolutely necessary.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

March 30, 2017.
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