

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.10104 OF 2017

ORDER:

Heard learned counsel for the petitioners and learned Public Prosecutor, representing 1st respondent – State, before ordering notice to 2nd respondent and perused the grounds in the quash petition.

2. As held by this Court in ***Gaddameedi Nagamani Vs. State of Telangana and others***¹, there is an appeal remedy under Section 29 of the Protection of Women from Domestic Violence Act, 2005 (herein after, 'the Act'), including to impugn the cognizance order and hence, this petition is disposed of, giving liberty to the petitioners to approach the learned Sessions Judge by maintaining appeal, within one week from the date of receipt of this order and on such event, the learned Sessions Judge, without referring to period of limitation, shall entertain. Needless to say, the petitioners remedy if at all to represent one by the others before the learned Magistrate is to invoke Rule 37 of the Criminal Rules of Practice, to pass appropriate order therefrom by considering the same.

3. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

25.10.2017
SS

¹ 2015 (2) ALD (CrI) 764