

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.14754 of 2013

ORDER:

This petition is filed under Section 482 Cr.P.C., by the petitioners/ respondents 2 to 8 seeking to quash the proceedings against them in DVC No.70 of 2013 on the file of Special Judicial Magistrate of First Class (Excise), Karimnagar.

2) The *defacto* complainant filed the petition under Section 12 of Protection of Women from Domestic Violence Act, 2005 against the petitioners and 1st respondent in DVC, who is her husband.

3) When the matter came up for hearing, learned counsel for petitioners would submit that the petitioners are not insisting for quashment of the proceedings but their presence in the DVC may be dispensed with in view of the fact that some of them are residents of Warangal District. It is to be noted that in *Giduthuri Kesari Kumar and others v. State of Telangana and others*¹, this Court held that the proceedings in domestic violence cases are of civil in nature and the Magistrate shall not insist the presence of the respondents except in cases where their presence is required.

4) In that view, the presence of petitioners/respondents 2 to 8 in DVC No.70 of 2013 on the file of Special Judicial Magistrate of First Class (Excise), Karimnagar, is dispensed with except on the occasions when the Trial Court requires their attendance.

¹ 2015 (2) ALD(CrL.) 470 (AP) = 2016 (1) ALT (CrL.) 358 (AP)

5) Accordingly, the Criminal Petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 03.07.2018

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