

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2435 of 2014

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners to quash the proceedings in D.V.C.No.10 of 2014 on the file of the II Additional Judicial Magistrate of First Class, Nizamabad.

2. Heard the learned counsel for the petitioners, learned Assistant Public Prosecutor representing the respondent-State and perused the record.

3. In view of the decision rendered by this Court in **Gaddameedi Nagamani v. State of Telangana & others**¹, the order of taking cognizance by the Magistrate under the provisions of the Protection of Women from Domestic Violence Act, 2005, is an appealable order under Section 29 of the Domestic Violence Act, 2005. Under these circumstances, the petitioners herein are given liberty to file an appeal before the Court of Session, as contemplated under law. However, for the reasons submitted by the learned counsel for the petitioners, presence of the petitioners herein is dispensed in the proceedings before the Court below, except on the dates when their appearance is required for some specific purpose.

4. With the above observation, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

28th February, 2018
siva

¹ 2015 (2) ALD (CrL.) 764 (A.P.)