

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.2182 OF 2014

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners-respondents 2 to 5 to quash the proceedings in D.V.C.No.162 of 2012 on the file of the III Metropolitan Magistrate, Erramanzil, Hyderabad.

2. None appears for the petitioners and there is no representation on their behalf. Heard the learned Assistant Public Prosecutor representing the respondent-State and perused the record.

3. If the petitioners-respondents 2 to 5 are aggrieved with taking cognizance of a Domestic Violence Case, they have to agitate their grievance before the Court of Session under Section 29 of the Protection of Women from Domestic Violence Act, 2005 (DV Act, 2005). The same is the purport of the decision rendered by the decision rendered by this Court in **GADDAMEEDI NAGAMANI VS. STATE OF TELANGANA & OTHERS¹**, whereunder it is held that the order of taking cognizance by the Magistrate under the provisions of the DV Act, 2005, is an appealable order under Section 29 of the Act. Under these circumstances, the petitioners are given liberty to file an appeal before the Court of Session, as contemplated under law.

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

DATED: 08.02.2018

DRK

¹ 2015 (2) ALD (CrI.) 764 (A.P.)

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.2182 OF 2014



DRK

08.02.2018