

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.1051 of 2019

ORDER:

The petitioners are aggrieved by the registration of D.V.C.No.16 of 2018 (old D.V.C.No.16 of 2017) on the file of the learned Judicial Magistrate of First Class, Suryapet. They seek quashing of the proceedings in the said case.

In the light of the judgment in GADDAMEEDI NAGAMANI V/ s. STATE OF TELANGANA¹, this quash petition is not maintainable as Section 29 of the Protection of Women from Domestic Violence Act, 2005, affords an efficacious remedy by way of an appeal against the act of the Court below in taking cognizance and numbering the D.V.C.

The criminal petition is accordingly dismissed leaving it open to the petitioners to avail the appellate remedy in accordance with the due procedure. Needless to state, the petitioners would be at liberty to file applications, as set out in para 21 of GADDAMEEDI NAGAMANI before the appellate Court. I.A.No.1 of 2019 shall also stand dismissed.

JUSTICE SANJAY KUMAR

Date:24.04.2019

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¹ 2015 (2) ALD (CRL.) 764