THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION No.4870 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners seeking to quash the proceedings in D.V.C.No.92 of 2019 on the file of the VIII Additional Metropolitan Magistrate, Kukatpally, Cyberabad, Ranga Reddy District.

2. Heard and perused the record.

3. In the light of the judgment in GADDAMEEDI NAGAMANI v. STATE OF TELANGANA[1], 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.

4. 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's case before the appellate Court. However, the personal appearance of the petitioners in the above D.V.C., is hereby dispensed with except on the dates when their presence is specifically required by the Court. The petitioners shall be represented by their counsel.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

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JUSTICE G SRI DEVI

22.08.2019
gkv

[1] 2015(2) ALD (CRL.) 764

HIGH COURT FOR THE STATE OF TELANGANA
HYDERABAD

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