

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8115 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by petitioner/respondent No.6 seeking to quash the proceedings in D.V.C.No.7 of 2019 on the file of the Judicial First Class Magistrate, Thorrur, against him.

2. Heard both sides and perused the record.

3. In the light of the judgment of this Court 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 of appeal against the act of the Court below in taking cognizance and numbering the D.V.C.

4. However, it is open to the petitioner to avail the appellate remedy in accordance with due procedure. It is needless to state that the petitioner is at liberty to file applications as set out in paragraph No.21 of **Gaddameedi Nagamani's** case, referred supra, before the appellate Court.

5. In view of the request made by the learned counsel for petitioner, the appearance of petitioner/respondent No.6 in D.V.C.No.No.7 of 2019 on the file of the Judicial First Class Magistrate, Thorrur, is dispensed with, except on the dates

¹ 2015(2) ALD (CRL.) 764

whenever his presence is required by the trial Court and he shall be represented by his counsel.

6. Accordingly, the Criminal Petition is disposed of.

7. Miscellaneous Petitions, if any pending in this criminal petition, shall stand closed.

JUSTICE G. SRI DEVI

13th December, 2019

sj

