

THE HONOURABLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.8293 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/respondent Nos.2 to 4 seeking to quash the proceedings in D.V.C.No.42 of 2019 on the file of the Court of the III Additional Judicial First Class Magistrate, Warangal.

2. In the light of the judgment of this Court 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.

3. 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 petitioner would be at liberty to file applications, as set out in para 21 of GADDAMEEDI NAGAMANI (supra) before the appellate Court.

4. In view of the request made by the learned counsel for petitioners, the appearance of the petitioners/respondent Nos.2 to 4 in D.V.C.No.42 of 2019 on the file of the Court of the III Additional Judicial First Class Magistrate, Warangal, is dispensed with, except on the dates whenever their presence is required by the trial Court and they shall be represented by their counsel.

¹ 2015 (2) ALD (CRL.) 764

5. Accordingly, the Criminal Petition is disposed of.
6. Miscellaneous Petitions, if any pending in this criminal petition, shall stand closed.

JUSTICE G.SRI DEVI

19th December, 2019
Dr

