

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.873 of 2020

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by petitioners/respondents 2 and 3 to quash the proceedings in D.V.C.No.4 of 2019 on the file of the Judicial Magistrate of First Class, Atmakur, against them.

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 petitioners to avail the appellate remedy in accordance with due procedure. It is needless to state that the petitioners are 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 petitioners, the appearance of petitioners/respondents 2 and 3 in D.V.C.No.4 of 2019 on the file of the Judicial Magistrate of First Class, Atmakur, is dispensed with, except on the dates whenever

¹ 2015(2) ALD (CRL.) 764

their presence is required by the trial Court and they shall be represented by their 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

7th February, 2020

sj

