

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWELFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE Smt. JUSTICE T.MADHAVI DEVI

Criminal Petition No.501 of 2024

Between:

1. PAGADALA YADIAH, S/o.Pagala Ramulu, Aged about 37 years, Occ. barber, R/o. H.No.2-1, Pathabasthi, IDA Bollaram Village, Jinnaram Mandal, Sanga Reddy District.
2. PAGADALA LAXMI, W/o. Pagadala Ramulu, Aged about 64 years, Occ. Housewife, R/o. H.No.2-1, Pathabasthi, IDA Bollaram Village, Jinnaram Mandal, Sanga Reddy District.
3. PAGADALA RAMULU, S/o Pagadala Rajaiah, Aged about 70 Years, Occ. Householder R/o. H.No.2-1, Pathabasthi, IDA Bollaram Village, Jinnaram Mandal, Sanga Reddy District.

...Petitioners/Respondent Nos.1 to 3 in DVC.

AND

1. THE STATE OF TELANGANA, Through S.H.O, P.S. Moinabad, Cyberabad, Represented by Public Prosecutor, High Court of Telangana, Hyderabad.
...Respondent.
2. PAGADALA YAMUNA, W/o. Pagadala Yadaiah, Aged about 34 years, Occ. Housewife, R/o. Appareddiguda Village, Moinabad Mandal, Ranga Reddy District.
3. Babu Pagadala Shiva Sai, S/o Pagadala Yadaiah, Aged about 12 years, Occ. Student, R/o. Appareddiguda Village, Moinabad Mandal, Ranga Reddy District.
4. Babu Pagadala Babi, S/o Pagadala Yadaiah @ Yadagiri, Aged about 10 years, Occ. Student, R/o. Appareddiguda Village, Moinabad Mandal, Ranga Reddy District.

(Respondent Nos. 3 and 4 are minors as such they are Represented by Respondent No.2 being their mother and natural guardian)

...Respondent/Complainant in DVC.

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceedings in DVC No.08/2019 on the file of the XVI Addl. Metropolitan Magistrate Court at Rajendra Nagar, Ranga Reddy district against the Petitioners/Respondents Nos.1 to 3.

I.A. NO: 1 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings including appearance of the

Petitioners/Respondents Nos.1 to 3 in DVC No.08/2019 on the file of the XVI Addl. Metropolitan Magistrate Court at Rajendra Nagar, Ranga Reddy District, till the disposal of the Main Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Abhinav Kabeer Konda, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 not appearing in person or through her counsel.

The Court made the following: **ORDER**

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.501 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners/ respondent Nos.1 to 3 to quash the proceedings against them in D.V.C.No.8 of 2019 pending on the file of XVI Additional Metropolitan Magistrate Court at Rajendranagar, Ranga Reddy District.

2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor for respondent No.1 – State. Perused the record.

3. In the light of the judgment in ***Gaddameedi Nagamani v. State of Telangana***¹ a petition to quash the proceedings in Domestic Violence Case 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. In view of the above, the petitioners are at liberty to avail the said alternative remedy.

¹ 2015 (2) ALD (CRL.) 764

5. However, in view of the request made by the learned counsel for the petitioners, except the petitioner No.1/the appearance of the petitioner Nos.2 & 3 herein/respondent Nos.2 & 3 in D.V.C.No.8 of 2019 pending on the file of XVI Additional Metropolitan Magistrate Court at Rajendranagar, Ranga Reddy District, is dispensed with, except on the dates whenever their presence is required by the trial Court, and they shall be represented by their counsel.

6. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending in this criminal petition, shall also stand closed.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

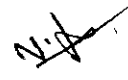
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SECTION OFFICER

To,

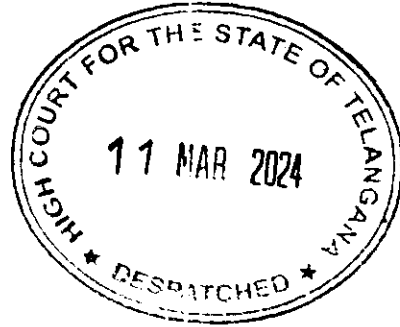
1. The XVI Addl. Metropolitan Magistrate Court at Rajendra Nagar, Ranga Reddy District.
2. The Station House Officer, Moinabad Police Station, Cyberabad.
3. One CC to Sri Abhinav Kabeer Konda, Advocate [OPUC]
4. One CC to the Public Prosecutor, High Court Buildings, Hyderabad. [OPUC]
5. Two CD Copies

JCK

MY 

HIGH COURT

DATED:12/01/2024



ORDER

CRLP.No.501 of 2024

DISPOSING OF THE CRIMINAL PETITION.

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