

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

**TUESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 1884 OF 2025

Between:

1. Kandukuri Revathi, W/o Raghu Mohan Vamshi, Aged about 40 years, Occ. Private Teacher, R/o Flat No.802, Block- B, SMR Vinoy Harmony County, Bandlaguda, Kismatpur Road, Abhyudaya Nagar, Rajendra Nagar Mandal, Hyderabad.
2. Kandukuri Raghu Mohan Vamshi, S/o Pichaiah, Aged about 45 years, Occ. Private Employee, R/o Flat No.802, Block- B, SMR Vinoy Harmony County, Bandlaguda, Kismatpur Road, Abhyudaya Nagar, Rajendra Nagar Mandal, Hyderabad.

...Petitioner/Accused No.3 & 4

AND

1. The State of Telangana, Rep. by its Public Prosecutor High court buildings, High court, Hyderabad.

...Respondent

2. Swapna Sree Sriramoji, W/o Chandrakanth, D/o. Gangadhar Sriramoji, Aged about 36 years, Occu. Private Employee, R/o 2-6-284, Jaipuri Colony, Nagole, Rangareddy District.

...Respondent/De-facto Complainant

Petition under Section 528 of BNSS Act, 2023 praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records and after examining the same to quash the DVC. No 26 of 2024 on the file of I Additional Junior civil judge -cum- I Additional Judicial Magistrate of First Class Ranga Reddy at LB Nagar, against the petitioners herein to prevent abuse of process of Law and securing ends of justice.

I.A. NO: 1 OF 2025

Petition under Section 528 of BNSS Act, 2023 praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings the DVC. No 26 of 2024 on the file of I Additional Junior civil judge -cum- I Additional Judicial Magistrate of First Class Ranga Reddy at LB Nagar, including the appearance of the petitioners

before the I Additional Junior Civil Judge -cum- I Additional Judicial Magistrate of First Class Rangareddy, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Shashank Garige, Advocate for the Petitioners and the Additional Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.1884 of 2025

ORDER:

This Criminal Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023(for short 'BNSS') by the petitioners/respondent Nos.3 and 4 to quash the proceedings against them in D.V.C.No.26 of 2024 pending on the file of I Additional Junior Civil Judge-cum-I Additional Judicial Magistrate of First Class, Ranga Reddy at L.B.Nagar.

2. Heard the learned counsel for the petitioners and the learned Additional 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.

¹2015 (2) ALD (CRL.) 764

5. However, in view of the request made by the learned counsel for the petitioners, the appearance of the petitioner Nos.1 and 2/respondent Nos.3 and 4 in D.V.C.No.26 of 2024 pending on the file of I Additional Junior Civil Judge-cum-I Additional Judicial Magistrate of First Class, Ranga Reddy at L.B.Nagar, is dispensed with, except on the dates whenever their presence is required by the trial Court, and they shall be represented by their counsel on every date of hearing and in case of default, this order gets vacated automatically.

6. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall also stand closed.

SD/- L LAKSHMI BABU,
ASSISTANT REGISTRAR.

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Junior civil judge -cum- I Additional Judicial Magistrate of First Class Ranga Reddy at LB Nagar
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri Shashank Garige, Advocate [OPUC]
4. Two CD Copies

ADK



HIGH COURT

DATED:11/02/2025

ORDER

CRLP.No.1884 of 2025



DISPOSING OF THE CRLP

④
11/02/25
bys