

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

**FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 14555 OF 2024

Between:

1. Bandarapu Upender, S/o. Late B. Venkaiah, Aged about 63 years, Occ. Contractor, R/o. Nellikudur Village and Mandal, Mahabubabad District-506368. Presently Residing at Flat No.203. H.No.1-59-88/1, Prabhavathi Nilayam, New Colony, Miyapur, Hyderabad-500049.
2. Bandarapu Laxmi, W/o. B. Upender, Aged about 57 years, Occ. House Keeping, R/o. Nellikudur Village and Mandal, Mahabubabad District-506368. Presently Residing at Flat No.203. H.No.1-59-88/1, Prabhavathi Nilayam, New Colony, Miyapur, Hyderabad-500049.
3. Ravula Suvama, W/o. Ravula Upender, Aged about 48 years. Occ. House wife, R/o. Redlawada Village, Nekkonda Mandal, Warangal District-506122.

...Petitioners/Respondents No. 2 to 4

AND

1. Bandarapu Sravanthi, W/o. B. Venugopal, Aged about 33 years, Occ. Housewife, Present Residing Chinthalapally Village, Thorrur Mandal, Mahabubabad District-506163.

...Respondents/Petitioner

2. The State of Telangana, Rep. by its Public Prosecutor, High Court Of Telangana At Hyderabad.

...Respondents/ Respondents

Petition under Section 528 of BNSS 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 D.V.C. No.09 of 2024 in the Court of the Junior Civil Judge Cum Judicial Magistrate of First Class at Thorrur against the petitioners/ respondents No. 2 to 4.

I.A. NO: 2 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 all further proceedings including appearance of

petitioners/respondents no 2 to 4 in D.V.C. No.09 of 2024 in the Court of the Junior Civil Judge cum Judicial Magistrate of First Class at Thorrur pending disposal of the above criminal petition.

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

The Court made the following: ORDER

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.14555 of 2024

ORDER:

This Criminal Petition is filed by the petitioners/respondent Nos.2 to 4 to quash the proceedings against them in D.V.C.No.09 of 2024 pending on the file of the learned Junior Civil Judge-cum-Judicial Magistrate of First Class at Thorur.

2. Heard learned counsel for the petitioners and Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent – 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.

¹ 2015 (2) ALD (CRL.) 764

4. In view of the above, the petitioners are at liberty to avail the said remedy.

5. However, in view of the request made by the learned counsel for the petitioners, the appearance of the petitioners/respondent Nos.2 to 4 in D.V.C.No.09 of 2024 pending on the file of the learned Junior Civil Judge-cum-Judicial Magistrate of First Class at Thorrur, 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, this Criminal Petition is disposed of

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/- A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Junior Civil Judge cum Judicial Magistrate of First Class at Thorrur.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri B. Balaji, Advocate [OPUC]
4. Two CD Copies

Njb/gh

HIGH COURT

DATED:29/11/2024

ORDER

CRLP.No.14555 of 2024



DISPOSING OF THE CRLP

7

A.B

30/11/2024