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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

**Crl. OP(MD).Nos.22241 of 2025 and 4231 of 2026
and Crl.MP(MD).Nos.19168 & 19169 of 2025
and 4523 & 4524 of 2026**

Crl.OP(MD).No.22241 of 2025:

1.R.Seenivasagam
2.S.Sivarani
3.R.Narmatha Natchiyar

....Petitioners/Respondents 2 to 4

Vs

S.Ranjani

....Respondent/Petitioner

Crl.OP(MD).No.4231 of 2026:

S.Ragul

....Petitioner/Respondent No.1

Vs

S.Ranjani

....Respondent /Petitioner

Prayer in both petitions:These petitions are filed under Section 528 of BNSS, 2023, to call for the records relating to the proceedings in DVC.No.19 of 2024 on the file of the Judicial Magistrate No.II Court, Virudhunagar and quash the same so far as the petitioners are concerned.



(In both petitions)

For Petitioners : Mr.J.Sankarapandian

For Respondent : Mr.T.Bashyam

COMMON ORDER

These two petitions have been filed by the respondents 1 to 4 in DVC.No.19 of 2024 on the file of the Judicial Magistrate No.II, Virudhunagar seeking to quash the domestic violence complaint filed by the respondent herein.

2.According to the learned counsel appearing for the petitioners, the complaint does not disclose any cause of action as against any one of the petitioners and he contends that except the husband, other petitioners are not living with the complainant in a shared household. In such circumstances, the application is not maintainable.

3.The learned counsel for the petitioners had further submitted that the respondent/husband has already filed HMOP.No.462 of 2023 before the Family Court, Thoothukudi seeking divorce. Only thereafter, the present complaint has been lodged by the wife as a counter-blast. Therefore, he seeks to quash the DVC proceedings.

4.The learned counsel for the petitioners had further stated that the 4th respondent namely sister-in-law is married and she is permanently residing in Australia and therefore, there is no allegation or any specific overtact as



against her. In such circumstances, it will clearly indicate that the present complaint is a false one.

5.Per contra, the learned counsel appearing for the respondent/wife submitted that there are specific overtact as against each one of the respondents and the same could be established only during trial. He further submitted that merely because the husband has filed the divorce that would not be a legal impediment to the wife to file domestic violence complaint. Hence, he prayed for dismissal of both the petitions.

6.Heard both sides and perused the material records.

7.As could be seen from the petitions, CrI.OP(MD).No.4231 of 2026 has been filed by the husband and CrI.OP(MD).No.22241 of 2025 has been filed by the father-in-law, mother-in-law and sister-in-law of the respondent herein.

8.As far as the case of the 4th respondent/sister-in-law is concerned, she is permanently residing in Australia right from the date of her marriage. It is also an admitted fact that she got married prior to the first respondent/husband of the respondent herein. In such circumstances, there was no shared household between the 4th respondent and the petitioner. In such circumstances, this Court is of the considered opinion that no case has been made out as against the 4th respondent in DVC.No.19 of 2024 for continuation of the proceedings. As far as the other respondents are



concerned, the arguments raised on the side of the petitioner could be considered only during trial and there is no scope for any quashing of the complaint since no legal grounds have been raised.

9. In view of the above said deliberations, this Court is inclined to pass the following orders:

a). CrI.OP(MD).No.4231 of 2026 stands dismissed.

b) CrI.OP(MD).No.22241 of 2025 stands dismissed as against the petitioners 1 and 2 herein. However, their personal appearance is dispensed with unless specifically directed by the trial Court.

c) CrI.OP(MD).No.22241 of 2025 stands allowed insofar as the 3rd petitioner namely R.Narmatha Natchiyar is concerned and the complaint stands quashed as against her.

d) The petitioner in CrI.OP(MD).No.4231 of 2026 would be at liberty to seek permission of the Court to appear through video-conferencing, in case if he is abroad.

17.08.2026.

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
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To

1. The Judicial Magistrate No.II
Virudhunagar
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai



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R.VIJAYAKUMAR, J.

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