

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

OP(Crl.).No. 197 of 2015 (Q)

CMP.3166/2015 IN MC 53/2011 OF CHIEF JUDICIAL MAGISTRATE, KOLLAM
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PETITIONER(S):

**ANIL RAJ, AGED 44 YEARS,
S/O.ANANDAN, SOUBHAGYA, NEW ISHWARYA NAGAR,
VADAKKEVILA (PO), VADAKKEVILA VILLAGE, KOLLAM.**

**BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.
SRI.GOVIND PADMANAABHAN
SRI.AJIT G.ANJARLEKAR**

RESPONDENT(S):

**RIMI,D/O.SREEDHARAN,
SREESUDHAYIL, MUNDAKKAL VILLAGE,
KOLLAM TALUK, KOLLAM DISTRICT - 691 001.**

**BY ADVS. SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)**

**THIS OP (CRIMINAL) HAVING BEEN FINALLY HEARD ON 07-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

OP(Crl.).No. 197 of 2015 (Q)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:A TRUE COPY OF PETITION FILED BY THE RESPONDENT INVOKING THE PROVISIONS OF THE DOMESTIC VIOLENCE ACT SEEKING PROTECTION ORDER UNDER SECTION 18, RESIDENCE ORDER UNDER SECTION 19, MONETARY RELIEF UNDER SECTION 20 AND COMPENSATION ORDER UNDER SECTION 22 OF THE SAID ACT.

P2:A TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE CHIEF JUDICIAL FIRST CLASS MAGISTRATE COURT, KOLLAM IN CMP.NO.3166/2015 IN MC.NO.53/2011.

P3:A TRUE COPY OF THE OBJECTIONS FILED BY THE RESPONDENT BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT, KOLLAM IN CMP.NO.3166/2015 IN MC.NO.53/2011.

P4:A TRUE COPY OF ORDER DATED 25.05.2015 PASSED BY THE CHIEF JUDICIAL FIRST CLASS MAGISTRATE COURT, KOLLAM IN CMP.NO.3166/2015 IN MC.NO.53/2011.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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O.P.(Crl.) No. 197 of 2015

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Dated this the 7th day of October, 2015

JUDGMENT

The petitioner is the counter petitioner in M.C.No.53/2011 filed by the respondent herein before the Chief Judicial Magistrate' Court, Kollam, under Section 12 of the Protection of Women from Domestic Violence Act. The evidence in the matter was over. Repeatedly, petitions under Section 311 Cr.P.C were filed by the petitioner. The witnesses appeared again and again. It seems that it was not specifically mentioning as to what all documents were required, again the very same exercise was attempted. The court below has rightly dismissed the said CMP through Ext.P4.

2. On hearing either sides and on perusing the records, this Court is satisfied that the attempt by the

petitioner is nothing; but to protract a very old matter filed under the special statute, which clearly defeats the object of the said Act. Matters being so, this O.P.(Crl.) is only to be dismissed and I do so.

In the result, this Original Petition (Criminal) is dismissed.

Sd/-
B.KEMAL PASHA, JUDGE

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