

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2015

CORAM :

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

Crl.O.P.No.13291 of 2015

and

M.P.No.1 of 2015

Varadharajan Petitioner

Vs.

Swarnalatha Respondent

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to call for the records in D.V.No.31 of 2014 pending on the file of the Judicial Magistrate Court, Tambaram and quash the same.

For Petitioner : Mr. B.Jawahar

For R1 : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to quash the order of the learned Judicial Magistrate, Tambaram, in D.V.No.31 of 2014.

2. A complaint under the Domestic Violence Act, has been initiated by the respondent in D.V.No.31 of 2014 before the learned Judicial Magistrate, Tambaram. The petitioner is said to be brother-in-law of the respondent.

3. The learned counsel for the petitioner submitted that the respondent got married to one Krishnakumar on 19.02.2010, as per Hindu rites and customs at N.T.M.community Hall, Thirunindravur. The petitioner is the younger brother in law of Krishnakumar. The learned counsel further submitted that the respondent was living with her husband, Krishnakumar in Rajakilpakkam, Chennai and the petitioner has been wrongly roped in the proceedings.

4. This Court perused the complaint and there is substance in the assertion made by the learned counsel for the petitioner.

5. Under such circumstances, this Court is not inclined to quash the entire proceedings that will cause prejudice to the respondent/wife. Taking into consideration, this Court dispense with the personal appearance of the petitioner before the trial court in D.V.No.31 of 2014 and the respondent is directed to proceed with the enquiry in accordance with law.

6. With the above observation, this Criminal Original Petition is closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

kkd

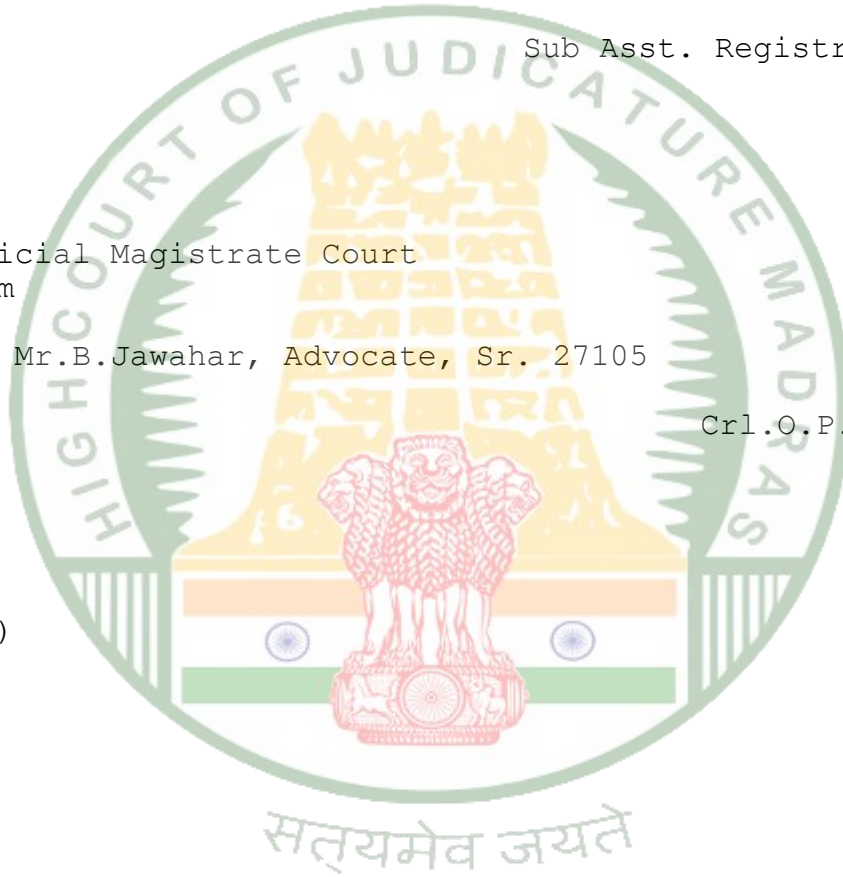
To

The Judicial Magistrate Court
Tambaram

1 cc to Mr.B.Jawahar, Advocate, Sr. 27105

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and
M.P.No.1 of 2015

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