

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.22771 of 2014
and M.P.Nos.1 and 3 of 2014

- 1.Arumugam Pillai
- 2.Vachala
- 3.Manimaran
- 4.Raja
- 5.Muthu
- 6.Dhachinamurthy

.. Petitioners/Respondents 2 to 7

Vs

1. A.Brinda @ Lakshmi
2. Minor A.Anushriya
Rep. By her mother as
Natural guardian,
1st respondent herein.

.. Respondents/Petitioners.

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the M.C.No.12 of 2014 pending on the file of learned Judicial Magistrate Court No.2, Karaikal, Puducherry.

For Petitioners : Mr.B.Thirumalai

For Respondents : Mr.B.Shyam

ORDER

This Criminal Original Petition is filed to quash the proceedings in M.C.No.12 of 2014 pending on the file of the learned Judicial Magistrate II, Karaikal, Puducherry.

2. It is seen that on a reading of the complaint, this Court finds that there is no allegation against Manimaran (3rd Petitioner), Raja (4th Petitioner) and Dhachinamurthy (6th Petitioner) in the complaint given by the 1st respondent under the Protection of Women from Domestic Violence Act, 2005. Hence, this Court feels that it is an abuse of process of law, if the proceedings against these persons are taken.

3. In the result, this Criminal Original Petition is partly allowed and the proceedings in M.C.No.12 of 2014 pending on the file of learned Judicial Magistrate II, Karaikal, Puducherry is hereby quashed as against Manimaran (3rd Petitioner), Raja (4th Petitioner) and Dhachinamurthy (6th Petitioner) alone. As regards the other petitioners, viz., Petitioners 1, 2 and 5, this Criminal Original Petition shall stand dismissed. Consequently, connected miscellaneous petitions are closed.

vsm

s/d-

Deputy Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate II, Karaikal, Puducherry.
2. The Chief Judicial Magistrate, Karaikal, Puducherry.

+ 2 ccs to Mr.B.Thirumalai, Advocate SR 32204

+ 2 ccs to Mr.B.Shyam, Advocate SR 31919

gj(co)
prk13/7

Cr1.OP No.22771 of 2014

सत्यमेव जयते

WEB COPY