

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 07.07.2015

DELIVERED ON : 13.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.32733 of 2014 and M.P. Nos.1 and 2 of 2014
Crl.O.P. No.30565 of 2014 and M.P Nos.1 and 2 of 2014

1 J. Arunakaran
2 A. Kumudha ... Petitioners in Crl.O.P. No.32733 of 2014
1 Dharma Perumal
2 Rukmani
3 Sridhar
4 Selvi ... Petitioners in Crl.O.P. No.30565 of 2014

Vs

C. Buvani .. Respondent in both the Crl.O.Ps.

Prayer:- Criminal Original Petitions filed under Section 482 Cr.P.C., to call for the records in D.V.O.P. No.81 of 2014 on the file of the Additional Mahila Court at Salem and quash all further proceedings as against the petitioners.

For Petitioners in
both the Crl.O.Ps. Mr. M.R. Radhakrishnan

For Respondent in
both the Crl.O.Ps. Mr. K. Selvaraj

COMMON ORDER

These petitions have been filed to call for the records in D.V.O.P. No.81 of 2014 on the file of the Additional Mahila Court, Salem and to quash the same.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondent.

3. The respondent herein got married to J.A. Ganesh on 28.10.2012 in Salem and it is alleged by the respondent that at the time of her marriage, her parents spent around Rs.14 lakhs for the wedding. After marriage, their matrimonial life ran into rough weather,

resulting in the respondent lodging proceedings against the petitioners herein under Section 12 of the Domestic Violence Act in DVOP No.81 of 2014 before the learned Additional Mahila Court, Magisterial level at Salem, challenging which the petitioners are before this Court.

4. The learned counsel for the petitioners submitted that there is no material against the petitioners worth the salt for proceeding under the Domestic Violence Act and that it is a sheer abuse of process of law, which argument was controverted by the learned counsel for the respondent.

5. This Court carefully perused the petition filed by the respondent. On a reading of the petition, it is seen that the respondent has stated that she has been subjected to cruelty by her husband and his parents. The parents of the respondent's husband, who are the petitioners in Crl.O.P.No.32733 of 2014, have been accused of demanding a plot as dowry from the respondent. The petitioners in Crl.O.P.No.30565 of 2014 are all relatives of the respondent's husband and there are no serious allegations against them warranting a trial.

6. In the result, Crl.O.P.No.30565 of 2014 is allowed and the proceedings against the petitioners in DVOP No.81 of 2014 on the file of the Additional Mahila Court, Salem are quashed. Crl.O.P.No.32733 of 2014 is dismissed. Consequently connected miscellaneous petitions are closed.

gms

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

The Additional Mahila Judge, Salem

+ 3 ccs to Mr.M.R.Radhakrishnan, Advocate SR 34044, 35103 & 35102

+ 1 cc to Mr.K.Selvaraj, Advocate SRF 33797

+1 cc to Mr.M.R.Radhakrishnan, Advocate, sr.34043 (16/10/2015)

+1 cc to Mr.K.Selvaraj, Advocate, sr.33798 (28/10/2015)

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Crl.O.P. Nos.32733 and 30565 of 2014