

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2015

CORAM

The Hon'ble Mr.Justice R.S.Ramanathan

Cr1.O.P.No.7200 of 2015
and
M.P.No.1 of 2015

Govindasamy

...Petitioner

vs.

1. Sathiyapriya

2. K.Ramadurai

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for records in D.V.M.C.No.10 of 2014, on the file of Judicial Magistrate, Civil Judge, (Junior Division), Ariyalur, and to quash the same.

For Petitioner : Mr.T.S.Rajeevgandhi

O R D E R

The Criminal Original Petition is filed to quash the proceedings initiated against the petitioner in D.V.M.C.No.10 of 2014, on the file of Judicial Magistrate Court, Ariyalur,

2. It is submitted by the learned counsel appearing for the petitioner that petitioner herein is the father-in-law of the first respondent and the second respondent herein is her husband. The learned counsel submitted that no allegation has been made against the petitioner?/father-in-law and allegations are made only against the second respondent/husband, and having regard to the prayer, sought for, by the first respondent herein in D.V.M.C.No.10 of 2014, and the fact that allegations are made only against the second respondent/husband, the proceedings against the petitioner are liable to be quashed.

3. I am unable to accept the contention of the learned counsel for the petitioner. A reading of the complaint filed by the first respondent in D.V.M.C.No.10 of 2014, makes it clear that the allegations are made not only against the second respondent herein,

but also against the petitioner. It is stated that on 02.12.2008, i.e., during the birthday of the first respondent's daughter, by name, Suthantira, the petitioner beat the first respondent using chapel, that too, in the street, in public, and hence, the petitioner has committed domestic violence. Further, in para No.3 of the complaint, it has been stated that in November 2013, both the petitioner and the second respondent beat. As allegations are made against the petitioner also, the proceedings initiated against him in D.V.M.C.No.10 of 2014, cannot be quashed.

4. In the result, Criminal Original Petition is dismissed as being devoid of merits. Consequently, connected M.P. is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sd

To

1. The Judicial Magistrate, Civil Judge,
(Junior Division), Ariyalur,

2. Do thro the Chief Judicial Magistrate
Ariyalur

Cr1.O.P.No.7200 of 2015

PPA (CO)
kk 21/4

सत्यमेव जयते

WEB COPY