



WEB COPY

BEFORE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.02.2015

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P. (MD) No.1185 of 2015
and M.P. (MD) 1 of 2015

1.V.Balaji

2.B.Kowsalya

...Petitioners/A3 & A4

Vs.

E.Thilagam

..Respondent/Petitioner

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in proceedings in M.C.No.163 of 2014 on the file of the Additional Mahila Court (Judicial Magistrate), Trichy and quash the same as illegal in so far as the petitioners are concerned and pass such further or other orders as this Court may deem fit in the circumstances of the case.

For Petitioners : Mr.T.Lenin Kumar

For Respondent : Mr.S.Jayavel

O R D E R

The petitioner seeks quash of proceedings in M.C.No.163 of 2014 on the file of the Additional Mahila Court (Judicial Magistrate), Trichy.

2. We have heard learned counsel for the petitioners and learned counsel for the respondent.

3.The petitioners are the brother-in-law of the respondent and his wife. The respondent has moved M.C.No.163 of 2014 on the file of Additional Mahila Court (Judicial Magistrate), Trichy, seeking relief under the provisions of Protection of Women from Domestic Violence Act, 2005.

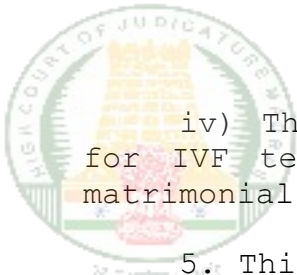
4. The reasons towards allowing this quash petition are as follows:

In the petition moved by respondent it has been informed

(i) that the husband had required the respondent to fear his brother and sister-in-law and that she should go to her parental home when they called;

ii) The second petitioner (her co-sister) has frequently raised issues towards dragging her into a quarrel;

iii) The petitioners prevented the respondent and her husband taking up independent residence by impressing upon her husband that the mother-in-law was 72 years old and could not be left unattended;



iv) The petitioners over phone required the respondent to be ready for IVF test and threatened her towards joining her husband at the matrimonial home.

5. This petition shall stand allowed and the proceedings against the petitioners shall stand quashed. Consequently, connected M.P.(MD) No.1 of 2014 is closed.

6. This Court is inclined to impose costs upon the respondent. Taking into consideration the submission of learned counsel for the respondent against imposition of cost, this Court refrains from doing so.

Sd/-

Assistant Registrar(CO)

\\True copy\\

Sub Assistant Registrar

To

The Additional Mahila Court (Judicial Magistrate), Trichy.

+1 CC TO M/S.T.LENINKUMAR, ADVOCATE SR.NO.9328

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