



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.O.P.(MD)No.15813 of 2014

and

M.P.(MD).Nos.1 and 2 of 2014

1.S.A.Kadher Meera
2.Jennath Fathima
3.Raviathul Pathiviya
4.Riyas

... Petitioners/Respondents

vs.

Husain Banu

... Respondents/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the complaint in D.V.O.P.No.2 of 2014 pending on the file of the learned Judicial Magistrate, Ilayangudi and quash the same.

For Petitioner : Mr.K.Elangovan

ORDER

This Criminal Original Petition has been filed to quash the complaint in D.V.O.P.No.2 of 2014 pending on the file of the learned Judicial Magistrate, Ilayangudi.

2.Heard the learned Counsel appearing for the petitioner.

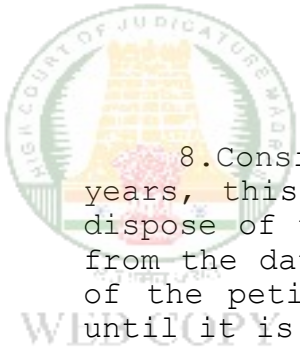
3.The petitioners are the husband and in-laws of the respondent, seeking to quash the proceedings in D.V.O.P.No.2 of 2014 pending on the file of the learned Judicial Magistrate, Ilayangudi.

4.The learned counsel for the petitioner contended that the respondent suppressed the fact that the Talaq had already been taken place between her and the first petitioner, has approached the lower Court by filing a complaint seeking contradictory reliefs. It is also contended that the respondent has left the matrimonial home on her own volition.

5.These are the disputed question of facts to be decided by the Court below.

6.Even assuming they are true, what is the legal effect of the same is that the relief sought for by the respondent is also a matter to be decided by the court below.

7.Proceedings are summery in nature mean to give relief to the victim. Accordingly, this petition is dismissed. Consequently, the



8.Considering the fact that the matter is pending for more than 2 years, this Court directs the learned Judicial Magistrate, Ilayangudi to dispose of the case in D.V.O.P.No.2 of 2014 within a period of six months from the date of receipt of a copy of this order. The personal appearance of the petitioners is dispensed with before the trial Court, unless and until it is specifically required by the said Court.

Sd/-

Assistant Registrar (Cr1.side)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Ilayangudi.

2. -Do- Thro The Chief Judicial Magistrate, Sivagangai District.

+1cc to MR.K.RAJESHWARAN, Advocate in SR.No. 33877

Ns

SR : 22.07.2015 : 2p/4c

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