

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2016

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Crl.R.C.No.1046 of 2016

1.Manoharan

2.Susilarani

3.M.Shanmugasundaram

.. Petitioners/Accused 1 to 3

Vs.

S.Hemalatha

.. Respondent/Complainant

Criminal Revision filed under Sections 397 and 401 Cr.P.C. against the judgment dated 27.04.2016 made in Crl.A.No.65 of 2015 on the file of the learned V Additional District and Sessions Judge, Coimbatore, confirming the judgment dated 18.02.2016 made in D.V.A.No.10 of 2012 on the file of the learned Judicial Magistrate No.I, Coimbatore and allow the revision.

For Petitioners : Mr.S.Mukunth

For Respondent : Mr.L.Mouli

O R D E R

This revision arises against the judgment dated 27.04.2016 in Crl.A.No.65 of 2015 passed by the learned V Additional District and Sessions Judge, Coimbatore, confirming the order dated 18.02.2016 passed by the learned Judicial Magistrate No.I, Coimbatore, in D.V.A.No.10 of 2012.

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

3.Learned counsel for petitioners submitted that Court below erred in awarding compensation in a sum of Rs.2 lakhs to the respondent as no offence under Protection for Women from Domestic Violence Act has been made out. He would submit that the Court below failed to peruse the medical reports which do not reveal that the respondent's husband died due to excess alcoholic consumption as alleged by the respondent. It was wrong to allege that without disclosing the same, the petitioners performed the marriage between the respondent and the son of the petitioners 1 & 2. He would further submit that the findings of the Court below is erroneous and illegal.

4.Learned counsel for respondent submitted that the Court below has considered the case of the respondent wife, who lost her husband within 15 months of marriage and who has been harassed and tortured by the petitioners herein and rightly awarded a compensation of Rs.2 lakhs to the respondent/wife and the finding warrants no interference.

In view of the submissions made on either side and considering the facts and circumstances of the case, this Court is of the considered view that the order passed by the Court below does not suffer from any material irregularities or illegality and therefore, the revision is sans merit. Accordingly, the Criminal Revision Petition is dismissed.

-s/d-

Assistant Registrar

true Copy

Sub-Assistant Registrar

DP

To

- 1.The V Additional District and Sessions Court,
Coimbatore.
- 2.The Court of Judicial Magistrate No.I,
Coimbatore.

+1 cc to M/s.Survabhauman Associates Advocate
sr 64265/16

सत्यमेव जयते

Cr1.R.C.No.1046 of 2016

aa02/01/2016

WEB COPY