



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) .No.20478 of 2016

and

Crl.M.P. (MD) .Nos.10418 and 10419 of 2016

1.R.Venkatesan

2.R.Radhakrishnan

3.Krishnammal

4.Satheesh

: Petitioners/Respondents

Vs.

1.The Domestic Officer,

(Domestic Violence Act, 2005),

Office of the District

Social Welfare Officer,

Thanjavur.

: Complainant

2.G.Sujatha

: Respondents/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records pertaining to summon in M.C.No.21 of 2015 on the file of the learned Judicial Magistrate, Kumbakonam and quash the same as illegal.

For Petitioners

: Mr.K.Bhaskaran

For Respondent No.1

: Mr.K.Anbarasan

Government Advocate (Criminal side)

ORDER

This petition is filed seeking to quash the proceedings in M.C.No.21 of 2015 on the file of the learned Judicial Magistrate, Kumbakonam.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the first respondent.

3. The learned counsel for the petitioners would submit that due to some matrimonial dispute, the first petitioner filed H.M.O.P.No.64 of 2014 seeking divorce. During the pendency of the said proceedings, the second respondent filed M.C.No.21 of 2015, in which a summons was issued to the first petitioner. Seeking to quash the said proceedings, the petitioners have come up with this



petition.

4. Heard the learned Government Advocate (Criminal Side) also.

5. Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings in M.C.No.21 of 2015. Hence, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed. However, the learned Judicial Magistrate, Kumbakonam, is directed to dispose of the case in M.C.No.21 of 2015, on or before 30.06.2017. Since the petitioners 2 to 4 are in-laws of the second respondent, they shall appear before the learned Judicial Magistrate, Kumbakonam, in M.C.No.21 of 2015, as and when their presence is required by the learned Judge and the first petitioner shall appear before the concerned Court regularly for all hearings.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Kumbakonam.

2.The Domestic Officer,
(Domestic Violence Act, 2005),
Office of the District Social Welfare Officer,
Thanjavur.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Bhaskaran, Advocate SR.No. 64368

SML

JAM-SS3-SAR.3/09.11.2016/2P:5C

Order made in

Cr1.O.P. (MD) .No.20478 of 2016

Dated:26.10.2016