



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2362 of 2016

and Crl.MP(MD).Nos.1183/2016 & 1184/2016

WEB COPY

1. Thirumalai
2. Booma Devi
3. Veeranan
4. Selvi
5. Alagarsamy
6. Thavamani

... Petitioners/Respondents

-vs-

T.Dhanalakshmi

... Respondent/Petitioner

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the D.V.O.P.No.2 of 2015 pending on the file of the learned Judicial Magistrate, Manamadurai and quash the proceedings as against the petitioners herein.

For Petitioners : Mr.S.Kanagarajan

O R D E R

This petition has been filed to call for the records pertaining to the D.V.O.P.No.2 of 2015 pending on the file of the learned Judicial Magistrate, Manamadurai and quash the proceedings as against the petitioners herein.

2. Heard the learned counsel for the petitioners.

3. It is seen that Dhanalakshmi had married Thirumalai on 01.11.1998 and it is alleged by Dhanalakshmi that she has been subjected to cruelty by the petitioners. The 1st petitioner has filed H.M.O.P.No.78 of 2001 for divorce, which was dismissed by the Trial Court, aggrieved by which, the 1st petitioner has preferred an appeal. While so, Dhanalakshmi has moved the Trial Court under the D.V.Act for various relief. It is further alleged by Dhanalakshmi that Thirumalai/1st petitioner is having illicit intimacy with one Booma Devi and is subjecting her to cruelty.

4. The complaint lodged by Dhanalakshmi discloses prima facie materials for a full fledged enquiry, which cannot be



stifled. Under such circumstances, this petition is devoid of merits and the same is dismissed.

5. However, the presence of the petitioners 2 to 6 before the Trial Court is dispensed with on condition that they are represented by a Pleader, who shall cross examine the witnesses without taking unnecessary adjournments. Whenever, the presence of the petitioners 2 to 6 is required by the learned Magistrate, he can insist upon their appearance. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

The Judicial Magistrate,
Manamadurai

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AA/GSV-PM/05.04.2016/2p-2c

Cr1.O.P. (MD) No.2362 of 2016
22.03.2016