



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP(MD) No.6313 of 2016

1.L.Sethuramalinga Pandian

2.Dr.S.Sankaravadivelan

..Petitioners

Vs

Shyamala Devi

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in D.V.Cr.M.P.No.27 of 2016 on the file of the learned Judicial Magistrate, Mahila Court, Madurai and quash the same.

For Petitioner :Mr.M.Veilkaniraju

O R D E R

This petition has been filed to quash the case in D.V.Cr.M.P.No.27 of 2016 on the file of the learned Judicial Magistrate, Mahila Court, Madurai.

2. Shyamala Devi, the respondent herein, got married to Sankaranarayanan on 03.05.1989 and they have one daughter and two sons through their wedlock. Their marriage ran into rough weather resulting in Shyamala Devi initiating proceedings in D.V.Cr.M.P.NO.27 of 2016 before the Judicial Magistrate, Mahila Court, Madurai under the Domestic Violence Act against Sankaranarayanan and the petitioners herein. Challenging which, the petitioners are before this Court.

3. The first petitioner Sethuramalinga Pandian, is the father of Sankaranarayanan and the 2nd petitioner is the brother of Sankaranarayanan. On a careful reading of the complaint, this Court finds that there are prima facie materials for the enquiry to proceed against the petitioners. Hence, it is not a fit case to quash the entire proceedings. Hence, the petition is dismissed. But the presence of the petitioners before the trial Court is dispensed with and it is open to the trial Court to insist upon the presence of the petitioners as and when required. Consequently connected miscellaneous petitions are also dismissed.

Sd/

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

1.Judicial Magistrate, Mahila Court, Madurai

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

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