

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.6019 of 2016

and

Crl.MP.Nos.3086 and 3087 of 2016

1.S.Kumaresan
2.K.Kusala
3.Subha
4.Geetha

... Petitioners

Vs

1.Shalini

2.S.Pandiammal
Protection Officer
Domestic Violence Act,
District Social Welfare Office,
District Collector's office,
Chennai - 600 001.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in CC No.2831 of 2015 on the file of V Metropolitan Magistrate Court, Egmore, Chennai and quash the complaint filed under Section 12 of the Protection of Women from Domestic Violence Act against the petitioners herein.

For Petitioners: Mr.R.Rajasekaran

For R1 : Mr.Rajan

ORDER

This Criminal Original Petition has been filed to call for the records in CC No.2831 of 2015 pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai against the petitioners herein and quash the same.

2. It is the case of the petitioners that on the basis of the complaint preferred by the first respondent / wife, the second respondent has filed a case under Section 12 of the Protection of Women from Domestic Violence Act, against her husband and in-laws/petitioners herein, before the learned V Metropolitan Magistrate, Egmore, Chennai, which was taken on file as CC No.2831 of 2015. Pending the same, the petitioners

herein, who are the respondents 2 to 5 therein, have filed this petition to quash the said proceedings.

3. Though the learned counsel for the petitioners raised very many contentions in support of the relief sought for herein, this Court is of the view that the same cannot be gone into in this petition filed under Section 482 Cr.P.C and the same can be appreciated based on the oral and documentary evidence adduced by the parties, after full fledged trial. Therefore, the petitioners are at liberty to raise all the contentions before the trial Court. Considering the relationship between the parties, the personal appearance of the petitioners/respondents 2 to 5 in CC No.2831 of 2015 before the trial Court, is dispensed with for the present. However, it is needless to say that they shall appear before the trial Court as and when required.

4. With the above observations, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The V Metropolitan Magistrate, Egmore, Chennai.

2.do thro'The Chief Metropolitan Magistrate,
Egmore, Chennai.

rsy(co)
krd 12/4

Cr1.O.P.No.6019 of 2016

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