



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

CRL.O.P.(MD)No.12553 of 2017 and
CrI.M.P(MD).Nos.8636 and 8637 of 2017

1.Sebasthiyan

2.Amali

3.Vanitha

... Petitioners/Respondents

-Vs-

Sagaya Binunthja

... Respondent/Petitioner

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the impugned proceedings bearing DVOP.No.3 of 2017 on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District.

For Petitioners

: Mr.S. Palanivelayutham

O R D E R

This Criminal Original Petition is filed for quashing the impugned proceedings in DVOP.No.3 of 2017, on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, which is filed by the respondent as against the petitioners, who is the husband and others for the offence under Section 12 of Domestic Violence Act, for certain reliefs.

2. Heard the learned counsel appearing for the petitioners.

3. The cause of action for filing the petition filed by the respondent as stated and the allegation / averments found in the petition based on certain facts disclose the maintainability of petition for the reliefs. The truth or otherwise, cannot be gone into in the quash petition filed by the petitioners. The relationship between the first petitioner and the respondent is not in dispute. On the basis of certain factual contentions raised by the petitioners, this Court cannot entertain this petition to quash the proceedings.

4. Accordingly, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.



5. Since it is stated that no serious allegations are made against the petitioners 2 and 3, the personal appearance of the petitioners 2 and 3 is dispensed with unless or until their appearance is specifically required by an order of Court.

Sd/-

Assistant Registrar (CS-I)

WEB COPY

/True Copy/

Sub Assistant Registrar

TO

The Judicial Magistrate No.I, Nagercoil,
Kanyakumari District.

+1cc to M/S.S.PALANI VELAYUTHAM, Advocate SR.No.80682

trp

MAS/SKN-RSK/SAR2:12.10.2017:2P-3C

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