



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.15396 of 2017

and

CRL.M.P. (MD) Nos.10231 and 10232 of 2017

1.Ganesan
2.G.Chithra
3.Karthick Raja

: Petitioners/Respondents 2 to 4

-Vs-

Maheshwari

: Respondent/Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining in D.V.O.P.No.3 of 2017 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and quash the same as against the petitioners.

For Petitioners : Mr.T.Lenin Kumar

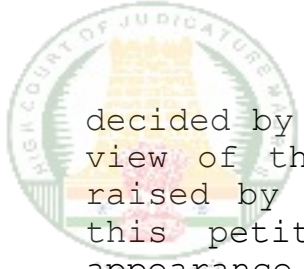
O R D E R

The Criminal Original Petition is filed to call for the records pertaining to D.V.O.P.No.3 of 2017 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and quash the same as against the petitioners.

2.The petitioners are the respondents 2 to 4 in D.V.O.P.No.3 of 2017 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District. The said case was filed by the respondent under Section 12 of the Protection of Women from Domestic Violence Act, 2005, for some reliefs which are provided under the Act.

3.Though the learned Counsel for the petitioners pointed out that the reliefs claimed by the respondent are mutually contradictory, he fairly conceded that the petition is only for maintenance and for compensation, which is provided under the provisions of the Protection of Women from Domestic Violence Act, 2005.

4.In such circumstances, the contention regarding the maintainability of the petition on merits of the matter cannot be



decided by this Court, in a petition under Section 482 of Cr.P.C. In view of the facts and circumstances and no other legal ground is raised by the petitioners, this Court is not inclined to entertain this petition. Hence this petition is dismissed. However, the appearance of the petitioners before the lower Court is dispensed with, unless and until their presence is required by an order of Court. Consequently, the connected, miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Judicial Magistrate,
Sankarankovil,
Tirunelveli District.

+ 1 CC TO Mr.T.LENIN KUMAR, ADVOCATE IN SR No. 86942

CMR

TE/JC/SAR-3 : 23/11/2017 : 2P/3C

CRL.O.P. (MD) No.15396 of 2017 and
CRL.M.P. (MD) Nos.10231 and 10232 of 2017
13.11.2017