



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL.OP.(MD).No.16876 of 2017 and
CRL.M.P.(MD)Nos.11116 & 11117 of 2017

1. A.Charles
2. R.Aaseer Stanley Inbaraj
3. A.Lidiya
4. A.Sherin . . . Petitioners/Respondents

Vs.

P.Sathiya . . . Respondent/Petitioner

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and to quash the proceedings of D.V.C.No.17 of 2017 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District.

For Petitioners : Mr.K.Murugesan

ORDER

This Criminal Original petition is filed for quashing the proceedings in D.V.C.No.17 of 2017 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District.

2. Heard the learned counsel appearing for the petitioner.

3. The first petitioner is the husband of the respondent and others are the in laws of the respondent. It appears that the marriage between the first petitioner and the respondent took place in the month of December, 2015.

4. Learned counsel for the petitioner pointed out that the respondent herself admitted that she was living with her husband only for a period of two months and that she deserted thereafter. From the notice issued on behalf of the respondent to the first petitioner she wanted divorce from the first petitioner. Even in the notice, there was no instances of domestic violence or



harassment specifically referred to. However, in the said notice, short life in the matrimonial home was described by the respondent as hell. The learned counsel for the petitioner though has come forward with the prayer for quashing the proceedings in D.V.C.No.17 of 2017, having regard to the admitted facts restricted his prayer only for a direction to the lower Court for an early disposal of the case on merits and to dispense with the appearance of the petitioners till the disposal of the appeal.

5. Having regard to the facts narrated in this petition and the contents of the notice issued on behalf of the respondent on 30.09.2016, this Court is inclined to pass the following direction:-

"The learned Judicial Magistrate, Nilakottai, Dindigul District is directed to expedite the trial and to dispose of the case in D.V.C.No.17 of 2017 within a period of three months from the date of receipt of a copy of this order. In the meanwhile, the personal appearance of the petitioners in D.V.C.No.17 of 2017 on the file of the learned Judicial Magistrate, Nilakottai, Dindigul District, is dispensed with, unless or until their appearance is specifically required by an order of Court."

6. With the above direction, the Criminal Original petition is disposed of. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Nilakottai, Dindigul District.
2. Thro' The Chief Judicial Magistrate, Dindigul.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.K.Murugesan , Advocate in SR No. 91793

pmu

AE/SV MMS/SAR2/04.01.2018/2P/5C