

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.10252 of 2018
AND Crl.M.P.Nos.5239 & 5240 of 2018

1. S.P.Vatsalan
2. S. Prathaban
3. Vasanthi Prathaban Petitioners

Vs

Lakshmi Priya ... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and to quash the complaint filed under Sections 12 & 22 of the Domestic Violence Act 2005 D.V.No.4/2018 pending before the XV Metropolitan Magistrate George Town, Chennai.

For Petitioner : Mr.Rajkumar Paul

For Respondent : Mr.B.Sundar

O R D E R

This Criminal Original Petition has been filed to to quash the proceedings in D.V.No.4 of 2018 pending on the file of the XV Metropolitan Magistrate George Town, Chennai.

2.Lakshmi Priya got married to Vatsalan on 22.11.2007 and has got one child through the wedlock. Their marriage ran into rough weather, resulting in the spouses litigating before various matrimonial Courts. Lakshmi priya has initiated proceedings under the Domestic Violence Act in D.V.No.4 of 2018 before the XV Metropolitan Magistrate, George Town, Chennai, against her husband and her parents-in-law S.Prathaban and Vasanthi Prathaban, claiming various reliefs, challenging which, this quash petition has been filed.

3.Heard Mr.Rajkumar Paul, learned counsel for the petitioner and Mr.B.Sundar, learned counsel for the respondent.

4. Admittedly, Lakshmi priya was residing in Flat No.D-102, Brindavan Apartments, 67, Cross Road, New Washermanpet, Chennai-81, which belongs to her husband Vatsalan and his brother. Even in the cause title, she has given the same address. After the legal war broke out, Prathaban and Vasanthi Prathaban are no more living in Flat No.D-102, Brindavan Apartments and they are living elsewhere. On a complete reading of the complaint in D.V.No.4 of 2018, this Court does not find any serious allegation as against Prathaban and Vasanthi Prathaban for them to face trial.

5. In the result, this petition is partly allowed and proceedings in D.V.No.4 of 2018 on the file of the XV Metropolitan Magistrate, George Town, Chennai as against Prathaban and Vasanthi Prathaban are quashed. The proceedings as against Vatsalan shall proceed in accordance with law. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

The XV Metropolitan Magistrate,
George Town, Chennai.

+1cc to Mr.Rajkumar Paul, Advocate Sr.55514

CRL.O.P.No.10252 of 2018

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