

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2018

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.1658 of 2018
CrI.M.P.Nos.621 and 622 of 2018

Vijaya

...Petitioner/2nd Respondent

Vs.

Jamuna

..Respondent/Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for the records in DVOP No.63 of 2017 on the file of the learned Judicial Magistrate (Additional Mahila Court), Salem and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.A.Velmurugan

For Respondent : Mr.J.Saravanavel

O R D E R

This petition has been filed seeking to call for the records in DVOP No.63 of 2017 on the file of the learned Judicial Magistrate (Additional Mahila Court), Salem and quash the same insofar as the petitioner is concerned.

2. Jamuna got married to Jothi Prasad on 03.03.2014 and their marriage broke, resulting in Jamuna initiating proceedings in DVOP No.63 of 2017 before the Judicial Magistrate (Additional Mahila Court), Salem against Jothi Prasad and his mother Vijaya for various reliefs under the Domestic Violence Act. While so, Vijaya is before this Court for quashing the proceedings on the ground that there are no substantial allegations for the relief claimed as against her.

3. Heard Mr.A.Velmurugan, learned counsel for Vijaya and Mr.J.Saravanavel, learned counsel for Jamuna.

4. Mr.J.Saravanel, fairly conceded that the proceedings as against Vijaya may be quashed and a direction may be issued to the trial Court to proceed against Jothi Prasad.

In view of the above, this petition is allowed and the proceedings in DVOP No.63 of 2017 pending on the file of the Judicial Magistrate (Additional Mahila Court), Salem against Vijaya is hereby quashed. The trial Court is directed to proceed with the case as against Jothi Prasad and complete the same within a period of six months from the date of receipt of a copy of this order, provided there is no legal impediment. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate (Additional Mahila Court), Salem.

+1cc to Mr.J.Saravana Vel, Advocate, S.R.No.69339

+1cc to Mr.Mekhala, Advocate, S.R.No.69441

Cr1.O.P.No.1658 of 2018

GSP(24/10/2018)

सत्यमेव जयते

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