

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2018

C O R A M

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Cr1.O.P. No.5445 of 2013

and

M.P.No.1 of 2013

1. G.Subash
2. P.V.Gunaseelan
3. G.Suseela Petitioners

Vs.

Banumathi Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records in M.C.No.6 of 2012 on the file of the Judicial Magistrate No.5 Vellore and quash the same.

For Petitioners : Mr.P.Chandrasekar
For Respondents : Ms.NA.Thara
for Mr.S.Sugumar

O R D E R

The petitioners are the respondents in M.C.No.6/2012 on the file of Judicial Magistrate No.5 Vellore. The respondent and petitioners preferred a complaint dated 01.11.2012, before the protection of women from Domestic Violence Act, Vellore District and based on her complaint the protection officer filed M.C.No.6/2012 before the Judicial Magistrate No.5, Vellore.

2.The present petitioners in their petitions have contended contend that there are no allegations in the complaint with regard to the domestic violence meted out to her and that the learned Magistrate had erroneously taken cognizance of the offences under Sections 18, 19, 20, and 22 of Protection of Women from Domestic Violence Act, 2005.

3.A perusal of the complaint clearly shows that there are allegations against the present petitioners. In fact it is alleged that all the petitioners demanded dowry from the respondent/complainant and the contention of the petitioners that the learned Judicial Magistrate had failed to apply his mind cannot be accepted.

4. In the facts and circumstances of the present case. I do not find any reason to quash the proceedings.

5. Accordingly, the criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

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Sub Assistant Registrar

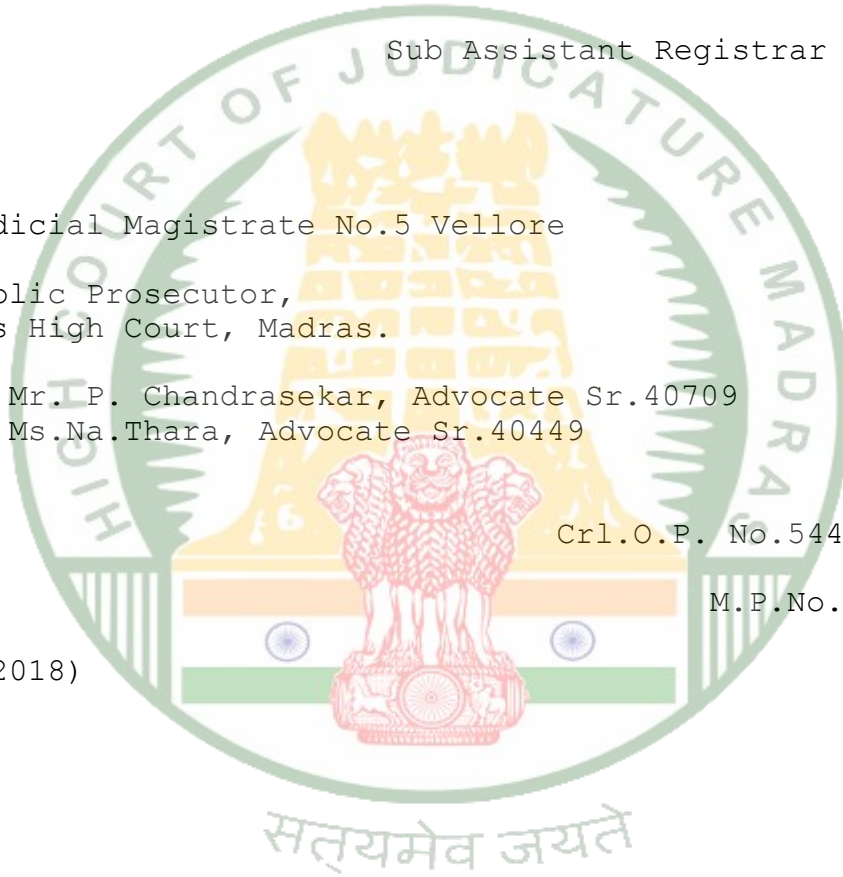
AT
To

1. The Judicial Magistrate No.5 Vellore
2. The Public Prosecutor,
Madras High Court, Madras.

+ 1 cc to Mr. P. Chandrasekar, Advocate Sr.40709
+ 1 cc to Ms.Na.Thara, Advocate Sr.40449

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(CS-IV)
EU(17/07/2018)



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