

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16322 of 2018

and CRL.M.P.Nos.8398 & 8399 of 2018

J.Narendra

..Petitioner

Vs

S.Indra Priyadharshini

..Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the complaint in D.V.A.No.10 of 2018 on the file of the Judicial Magistrate No.I, Coimbatore and quash the said complaint as against the petitioner/1st accused.

For Petitioner : Ms.E.Gomathi

O R D E R

This petition has been filed to quash the proceedings in D.V.A.No.10 of 2018 on the file of the Judicial Magistrate Court No.I, Coimbatore as against the petitioner.

2.For the sake of convenience, the parties will be referred to by their name. Indra got married to Narendra on 10.03.2016 and they have one child through the marriage. Their marriage ran into rough weather resulting in the spouses getting estranged. Indra has initiated proceedings in D.V.A.No.10 of 2018 before the Judicial Magistrate No.I, Coimbatore against Narendra and his family members claiming various reliefs. Challenging which, this quash petition has been filed.

3.Heard Ms.Gomathi, learned counsel for Narendra who submitted that on the complaint given by Indra, an FIR has been registered and that Indra has also initiated maintenance proceedings under Section 125 Cr.P.C.

4.In view of Section 36 of the Domestic Violence Act, simultaneous proceedings are permissible. It is seen that this Court had admitted Crl.O.P.No.15665 of 2018 that was filed by Jayalakshmi, Bharathi and Gururaj and has granted interim orders. Since there are disputed questions of fact qua Narendra, the proceedings as against him cannot be quashed. Hence, this petition is closed with liberty to raise all the points before the trial Court. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IX)

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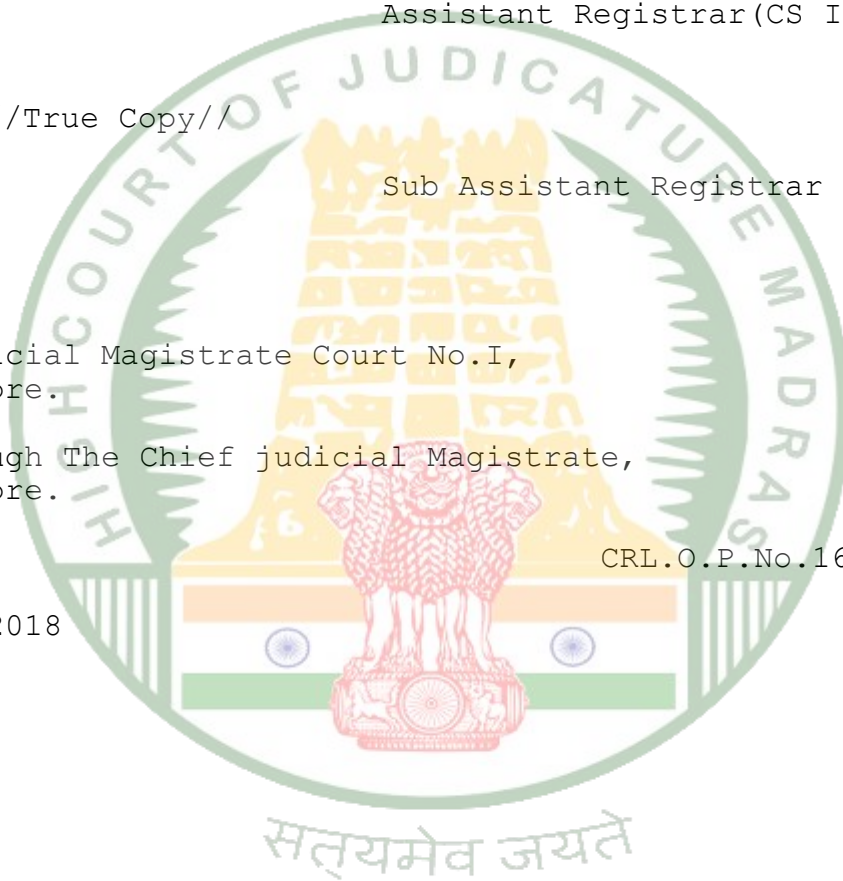
Sub Assistant Registrar

To

- 1.The Judicial Magistrate Court No.I,
Coimbatore.
- 2.Do-Through The Chief judicial Magistrate,
Coimbatore.

CRL.O.P.No.16322 of 2018

KK (CO)
BM 18/07/2018



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