

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

CRL.O.P.No.29166 of 2013

and

M.P.No.1 of 2013

1. Mrs. Pushpalatha

2. Mr. Ravindranath ... Petitioners/R2 & R3

N.Amutha ... Respondent/Petitioner

Criminal Original Petition filed under Section 482 Cr.P.C., praying to,

Quash the proceedings in C.C.No.8655 of 2012 before the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai-15.

For Petitioners : Mr.S.Prem Raj kumar

For Respondent : No appearance

O R D E R

This petition has been filed by the petitioners to Quash the proceedings in C.C.No.8655 of 2012 before the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai-15.

2. The Protection Officer, Domestic Violence Act, District Social Welfare Office, Chennai has filed a complaint before the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai-15 against the accused one C.Rajendraraj, 2. C.Pushpalatha and 3) C.Ravindranath, based on the petition preferred by the respondent/complainant, under Sections 18, 19, 20, 22 and 23 Womens Violation Act, 2005. The first accused is the husband of the respondent while the second and third accused are sister and brother of the first accused.

3. Mr.S.Prem Raj kumar, the learned counsel appearing for the petitioner would contend that though there are no allegations against the petitioners herein, the Protection Officer has filed the petition in C.C.No.8655/2012 before the XVIII Metropolitan Magistrate, Saidapet, Chennai. He would further contend that both the petitioners are residing in Kanyakumari and they did not live with the respondent and her husband at any point of time and th at since they happened to be the brother and sister of the first accused respectfully they have been shown as accused in C.C.No.8655/2012 on the

file of the XVIII, Metropolitan Magistrate, Saidapet, Chennai.

4. A perusal of the complaint clearly shows that there are no allegations against the present petitioners and the Protection Officer has filed the complaint before the XVIII, Metropolitan Magistrate, Saitapet, Chennai for the offences under Section 18,19,20,22 and 23 of Protection of Women Domestic and Violence Act. Since, there are no material available on record to proceed further against the present petitioners, the proceedings in C.C.No.8655/2012 is liable to be quashed.

5. The learned XVIII Metropolitan Magistrate, Saidapet, Chennai is directed to proceed further as far as the first accused is concerned and dispose of the case within a period of six months from the date of receipt of a copy of this order.

6. With the above observation, the present petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

dss
To

1. The learned XVIII Metropolitan Magistrate Court,
Saidapet, Chennai-15.

+lcc to Mr.S.Prem Rajkumar, Advocate SR.No.43103

sm:26.7.2018

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