

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.19167 of 2017

and

Cr1.M.P.Nos.15589, 11622 & 11623 of 2017

Sureshkumar

... Petitioner

vs.

Akilandeswari

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Domestic Incident Report in M.C.No.21 of 2013 on the file of the learned Judicial Magistrate and Additional Mahila Court, Perambalur quash the same.

For Petitioner : Mr.R.Murugabharathi

For Respondent : Mr.R.Balasubramanian

ORDER

This petition has been filed seeking to quash the proceedings in M.C.No.21 of 2013 pending on the file of the learned Judicial Magistrate and Additional Mahila Court, Perambalur.

2. The respondent/wife has initiated proceedings under the Domestic Violence Act against the petitioner/husband seeking for the relief under Sections 18, 19 and 20 of the Domestic Violence Act.

3. The learned counsel for the petitioner has raised several factual issues before this Court. However, this Court in exercise of its jurisdiction under Section 482 of Cr.P.C cannot go into the factual issues raised by the petitioner. It is left open to the petitioner to raise all these grounds before the Court below, in the course of the proceedings. This Court is not inclined to interfere with the proceedings at this stage and the petition which was filed in the year 2013 is kept pending till today.

4. In the result, this Criminal Original Petitions is dismissed and the Court below is directed to complete the proceedings in M.C.No.21 of 2013 on the file of the learned Judicial Magistrate and Additional Mahila Court, Perambalur within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dss

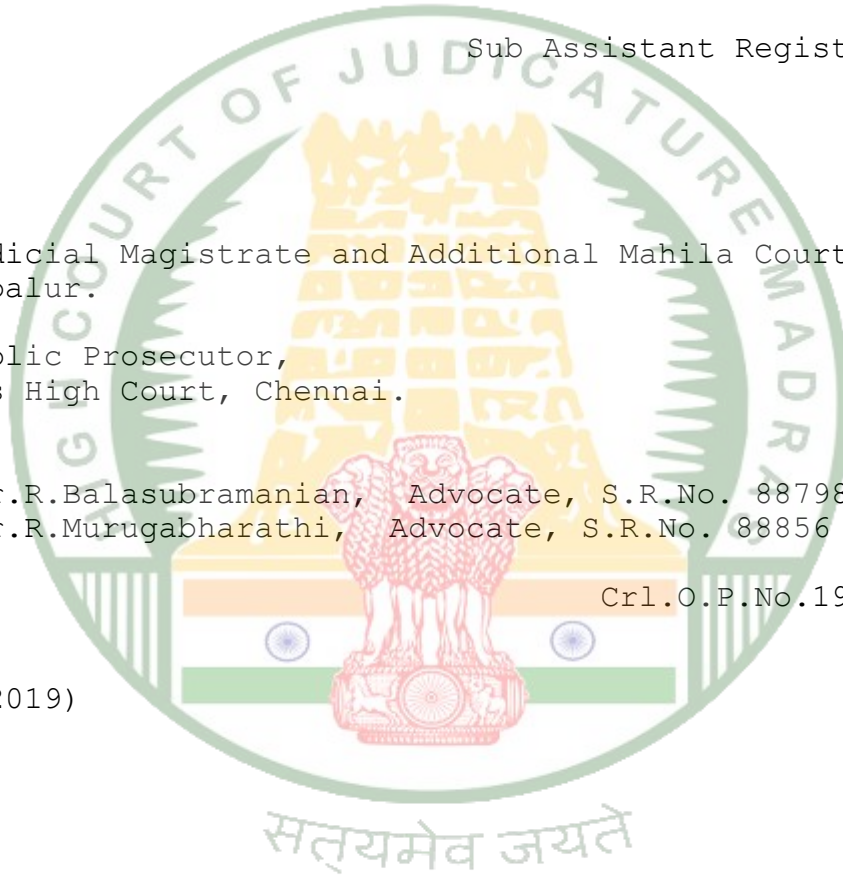
To

1. The Judicial Magistrate and Additional Mahila Court,
Perambalur.
2. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.R.Balasubramanian, Advocate, S.R.No. 88798
+1cc to Mr.R.Murugabharathi, Advocate, S.R.No. 88856

CrI.O.P.No.19167 of 2017

SPD(CO)
GN(21/01/2019)



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