

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.28761 of 2017
and Crl.M.P.Nos.7496 of 2018, 16252 & 16253 of 2017

R.Amalraj

...Petitioner

Vs.

Sudarvizhi

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in DVC 5 of 2017 on the file of the Judicial Magistrate Court, Sriperumbudur Court and quash the same and pass further suitable orders.

For Petitioner : Mr.S.Sai Shankar

For Respondent : Mr.C.Rajan

O R D E R

This petition has been filed to quash the proceedings in D.V.C.No. 5 of 2017, on the file of the Judicial Magistrate Court, Sriperumbudur.

2 The petitioner is the husband. The learned counsel for the petitioner would submit that the petitioner and respondent hardly live together for 15 days. The petitioner therefore, submitted that there is absolutely no cause of action for filing this petition.

3 The learned counsel for the respondent would submit that sufficient allegations have been made in the petition and the grounds that have been raised by the petitioner herein will have to be raised only before the Court below.

4 This Court has considered the submissions made on either side. This Court does not want to interfere with the proceedings at this stage. It is left open to the petitioner to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

5 This Criminal Original Petition is disposed of, with a direction to the Court below to complete the proceedings within a period of three months from the date of receipt of a copy of this Order. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mpa/rpl

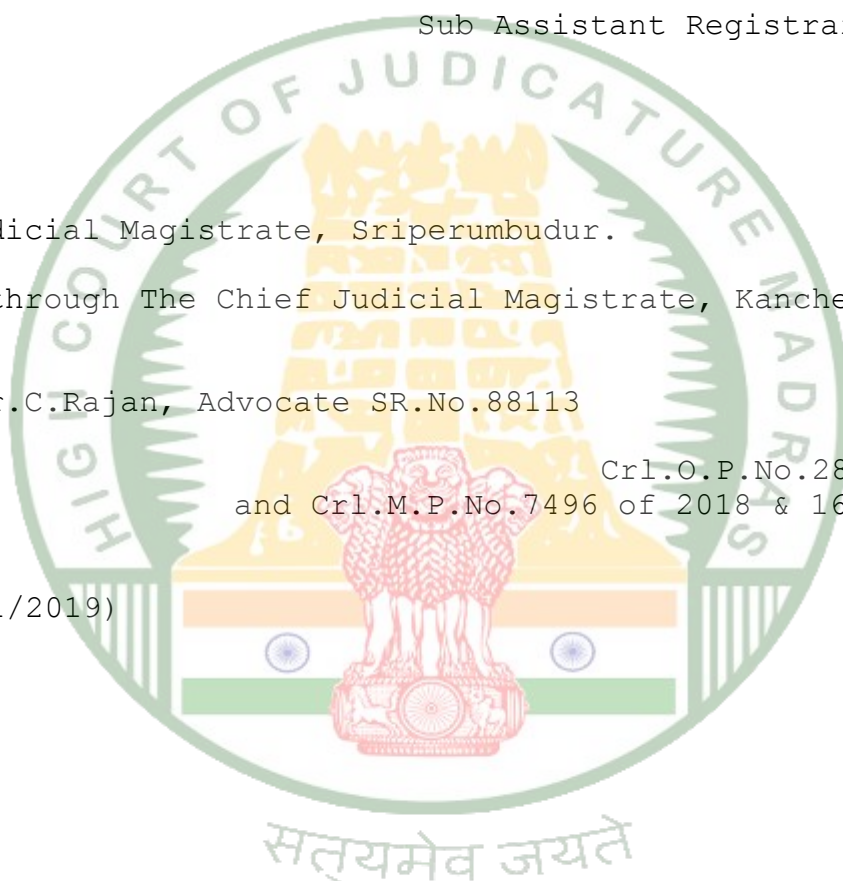
To

1. The Judicial Magistrate, Sriperumbudur.
2. - do- through The Chief Judicial Magistrate, Kancheepuram.

+2cc to Mr.C.Rajan, Advocate SR.No.88113

Crl.O.P.No.28761 of 2017
and Crl.M.P.No.7496 of 2018 & 16252 of 2017

MP (CO)
GMY (23/01/2019)



WEB COPY