

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.12.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.29445 of 2018

and

CrI.M.P.Nos.17282 & 17284 of 2018

Sirajudeen ... Petitioner/1st Respondent

Vs.

1.M.Ayisha Ribana

2.Jashra Bagima (Minor)

(Minor represented by

Mother and natural guardian

M.Ayisha Ribana)

... Respondents/Petitioners

Prayer:

This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records and quash the complaint in D.V.A.No.3 of 2018 pending on the file of the Judicial Magistrate Court, Sulur.

For Petitioner : Mr.V.T.Narendiran

ORDER

This petition has been filed seeking to quash the proceedings in D.V.A.No.3 of 2018, pending on the file of the Judicial Magistrate Court, Sulur.

2. The petitioner is the husband of the first respondent. It is seen from records that originally D.V.A petition was filed in the year 2014, before the Judicial Magistrate No.VII, Coimbatore. Thereafter, it has been transferred and re-numbered before the Judicial Magistrate Court, Sulur.

3. The learned counsel for the petitioner has raised several issues which are factual in nature and the same has to be established only before the Court below in the course of the proceedings. These facts cannot be gone into at this stage by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

4. It is left open to the petitioner to raise all these issues before the Court below. This Court is not inclined to interfere with the proceedings at this stage.

5. The Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in D.V.A.No.3 of 2018 within a period of three months from the date of receipt of a copy of this order. The petitioner shall be represented by a counsel before the Court below and the petitioner shall be present before the Court as and when required by the Court below. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

arb/ub

To

1. Judicial Magistrate Court,
Sulur, Coimbatore District.

+1cc to Mr.V.T.Narendiran, Advocate, S.R.No.87703

CrI.O.P.No.29445 of 2018

RSI (CO)
CS/18/01/2019

सत्यमेव जयते

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