

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2018

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

Crl.O.P.No.25310 of 2018
and Crl.M.P.No.14383 of 2018

Megtha Vincent ... Petitioner/Petitioner

Vs

1 Amathus Embrians
2 Embrians
3 John Mary Embrians ... Respondents/Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the order dated 26.06.2018 passed in Criminal miscellaneous petition No.793/2018 in DVA Case No.5/2017 on the file of Chief Judicial Magistrate, Erode and set aside the same.

For Petitioner Mr.J.James

ORDER

This petition has been filed to call for the records relating to the order dated 26.06.2018 passed in Criminal miscellaneous petition No.793/2018 in DVA Case No.5/2017 on the file of the Chief Judicial Magistrate, Erode and set aside the same.

2. The petitioner has initiated proceedings in D.V.A. Case No.5 of 2017 before the Chief Judicial Magistrate, Erode, claiming various reliefs under the Domestic Violence Act. She has also filed C.M.P.No.793 of 2018 in D.V.A.Case No.5 of 2017 seeking certain interim reliefs, which petition has been dismissed by the trial Court by order dated 26.06.2018, challenging which the petitioner is before this Court under Section 482 Cr.P.C.

3. Heard the learned counsel for the petitioner.

4. It is seen that against any orders, be it interim or final, an appeal under Section 29 of the Domestic Violence Act has been provided and therefore, a petition under Section 482 Cr.P.C. is not maintainable.

In the result, this petition is closed with liberty to the petitioner to work out her remedies in the manner known to law. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1 The Chief Judicial Magistrate,
Erode

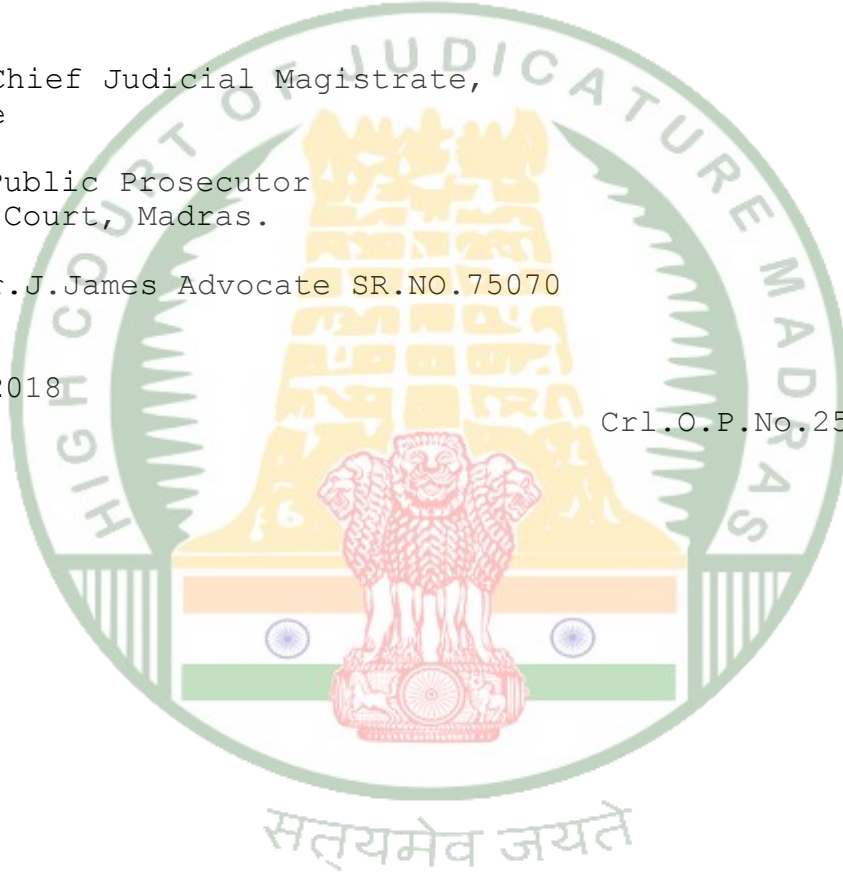
2 The Public Prosecutor
High Court, Madras.

+1cc to Mr.J.James Advocate SR.NO.75070

VGI (CO)

sm:14.11.2018

Crl.O.P.No.25310 of 2018



WEB COPY