



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl. OP (MD)No.22321 of 2013

and

MP(MD)No.1 of 2013

K.Elangiyam

... Petitioner/2nd Respondent

Vs.

S.Revathi

... Respondent/Petitioner

Prayer : This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code to call for the records in MC.No.19 of 2013 on the file of the Judicial Magistrate Court No.IV, Trichy and to quash the same.

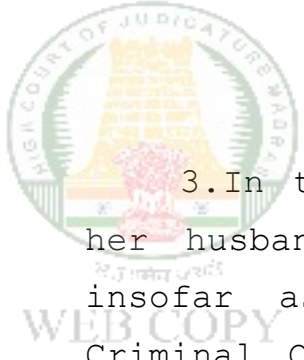
For Petitioners

: Mr.J.Senthil Kumar

ORDER

The petitioner is shown as the second respondent in MC.No.19 of 2013 on the file of the Judicial Magistrate No.IV instituted by the respondent herein. It is not the case of the respondent that the petitioner is her in-law or relative of her husband. On the other hand, according to the respondent herein, the petitioner is having illicit intimacy with her husband.

2.The learned counsel appearing for the petitioner drew the attention of this Court to the decision of the Hon'ble Supreme Court reported in **AIR 2013 SC 1077 (Ashish Dixit and ors v. State of U.P and Anr)**. In the said decision, the Hon'ble Supreme Court has held that only the husband and in-laws ought to be arrayed as parties to the proceedings. Proceedings initiated against persons other than husband and in-laws are liable to be quashed.



3. In this case, the petitioner is clearly not a relative of her husband. Therefore, the impugned proceedings are quashed insofar as the petitioner is concerned. Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

skm

To
The Judicial Magistrate No.IV,
Trichy

Cr1. OP (MD) No.22321 of 2013

and

MP (MD) No.1 of 2013

19.04.2018

SMA/CM/SAR-2/15.05.2018:2P/2C