



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2018

CORAM

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P (MD) No.23275 of 2013

and

M.P. (MD) Nos.2 and 3 of 2013

1.R.Siranjevee

2.S.Ramamoorthy

3.R.Muthukalli

4.R.Sankarapandi

5.S.Parameshwari

6.R.Ponnumani

7.Tamizharasi

8.Santhanam

9.S.Deepan

...Petitioners

Vs.

1.Sridevi

2.Priyadharshini

3.Hari Sham

...Respondents

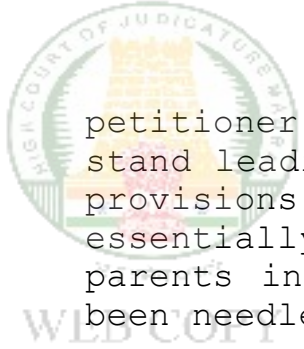
PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the proceedings filed by the respondents in Cr1.M.P.No.7735 of 2013, on the file of the Judicial Magistrate Court, Mudukalathur, Ramanathapuram District and to quash the same as illegal.

For Petitioners

:Mr.K.R.Laxman

O R D E R

<https://hcservices.ehcs.gov.in/hcservices/> respondent herein got married to the first petitioner herein on 03.09.2000. The respondents 2 and 3 were born during wedlock. The marital relationship between the first



petitioner and the first respondent herein has come under the stand leading to institution of the impugned proceedings under the provisions of the Domestic Violence Act. The dispute is essentially between the first respondent and her husband and parents in law. But, unfortunately, the petitioners 4 to 9 have been needlessly roped in.

2.This Court went through the contents of the complaint in question. There is a *prima facie* case for continuing the proceedings only against the petitioners 1 to 3. Making the other petitioners also to undergo the ordeal of enquiry in this proceedings can only be said to be an abuse of legal process.

3.In that view of the matter, the impugned proceedings is quashed insofar as the petitioners 4 to 9 are concerned.

4.The petitioners 1 to 3 are the husband and parents in law and they will face the proceedings. But the parents in law are the aged persons. Therefore, it would not be fair to make them to attend every hearing. Therefore, Petitioners 2 and 3 herein can be represented through their counsel. They can be directed to appear only if their presence is absolutely necessary and imperative.

5.With these observations, this petition is partly allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate Court,
Mudukalathur,
Ramanathapuram District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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