



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cr1.R.C(MD)No.160 of 2013

and

M.P.(MD).No.1 of 2013

1.S.Kandasamy Nadar

2.K.Gowri Ammal

: Petitioners/appellant 2 & 3/
Respondents 2 & 3

Vs.

1.Dhanalakshmi

:1st Respondent/Respondent/
Petitioner

2.K.Rajkumar

:2nd Respondent/1st appellant/
1st respondent

PRAYER: Revision filed under Section 397 read with Section 401 of the Code of Criminal Procedure, as against the order dated 07.12.2012 in Criminal Appeal No.36 of 2012 on the file of the learned II Additional Sessions Judge, Thoothukudi, modifying the order dated 03.05.2012 in Cr.M.P.No.5780 of 2008 on the file of the learned Judicial Magistrate No.I, Thoothukudi.

For Petitioner: Mr.VR.Shanmuganathan

For Respondent: Mr.R.Balakrishnan for R-1

No appearance for R-2

ORDER

The learned counsel appearing for the revision petitioners submitted that he has no instructions and hence, there is nothing to submit in this case.

2.The learned counsel appearing for the respondents submits that the dispute between the parties have been amicably settled.

3.This revision is arising against order passed under the Protection of Women from Domestic Violence Act, 2005, (hereinafter referred as Act) wherein, the first respondent has sought for protection order under Section 18 of the Act and financial assistance under Section 20 of the Act.

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4.The revision petitioners herein are father-in-law and



mother-in-law of the first respondent and they have been unnecessarily implicated in the application filed by the first respondent.

5. According to the revision petitioners, it is the second respondent, husband of the first respondent, is liable for any protection contemplated under the Act and not the revision petitioners.

6. Considering the contention raised in the revision petition and the submission made by the learned counsels, this Court is of the opinion that *de horse* of the settlement, the revision petition is liable to be allowed for the grounds raised. Accordingly, this revision petition is allowed.

Sd/-

Joint Registrar (JUDICIAL)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The II Additional Sessions Judge, Thoothukudi

2. The Judicial Magistrate No. I, Thoothukudi.

+ 1 CC TO MR. VR. SHANMUGANATHAN, ADVOCATE IN SR NO. 85273

VS

BU/VB/RSK/SAR-I : 22.10.2018 : 2P/4C

ORDER MADE IN
Cr1.R.C (MD) No. 160 of 2013
17.09.2018