

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.25831 of 2013 and
M.P.No.1 of 2013

1. Margarate Louis
2. Prabu (alias) Karunakaran
3. Anitha (alias) Lakshmi
4. Rajini ... Petitioners/Respondents 2 to 5

Vs.

Radhika (alias) Gajalakshmi ... Respondent/Petitioner

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to quash the proceedings in M.C.No.23 of 2012 on the file of the learned Judicial Magistrate-II, Pondicherry.

For Petitioners : Mr.R.Gopinath for
M/s.McGan Law Firm

For Respondent : No Appearance

ORDER

This criminal original petition has been filed seeking to quash the proceedings against the petitioners herein in M.C.No.23 of 2012 on the file of the learned Judicial Magistrate-II, Pondicherry.

2 The respondent herein filed an application under Section 12(1) of the Protection of Women from Domestic Violence Act, 2005, against the petitioners herein and her husband. The said application was taken on file in M.C.No.23 of 2012 by the learned Judicial Magistrate No.II, Pondicherry. Pending the above case, the petitioners, who are in-laws of the respondent, have file this petition seeking the quash the proceedings in the above case against them.

3 According to learned counsel appearing for the petitioner, the matter has been settled between the respondent and her husband and these petitioners are only in-laws and they are nothing to do with the domestic violence as alleged by the respondent.

4 When the matter is taken up for hearing, there is no representation on behalf of the respondent. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

5 A perusal of the application filed by the respondent under Domestic Violence Act reveal that there is prima facie allegations against these petitioners also. Therefore, this Court is not inclined to invoke power under Section 482 of Cr.P.C and quash the case against the petitioners.

6 Therefore, this criminal original petition is dismissed. Consequently connected miscellaneous petition is closed. However, since the case is pending for more than six years, the learned Magistrate is directed to dispose of the M.C.No.12 of 2012 within a period of three months from the date of receipt of a copy of this order, if already not disposed.

Sd/-

Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate-II,
Pondicherry.

CrI.O.P.No.25831 of 2013 and
M.P.No.1 of 2013

RJI (CO)
GN(30/01/2020)

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