

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3115 of

2015

and Crl.M.P.Nos.1 & 2 of 2015

1. John Baktavatchalam
2. Nirmaladevi
3. G.Satish Babu

...Petitioners

-Vs-

Mrs.Dilli Rani

...Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in D.V.C.No.18 of 2014 on the file of the learned Judicial Magistrate, Tiruvottriyur and quash the proceedings as against the petitioners.

For Petitioners : Mr.C.R.Malarvannan

For Respondent : Mr.V.Paarthiban

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in D.V.C No.18 of 2014 initiated by the respondent under the Domestic Violence Act.

2. The petitioners 1 to 3 are father-in-law, mother-in-law and brother-in-law of the respondent.

3. It is seen from the records that the petitioners were living separately and the respondent was living with her husband and therefore, no domestic violence can be attributed as against the petitioners. The respondent has not made any specific allegations against the petitioners except for certain general allegations. Even in the absence of a domestic relationship with the respondent, the petitioners have been roped in a domestic violence petition.

4. Heard the learned counsel for the petitioners and the learned counsel for the respondent.

5. In the considered view of this Court, the entire proceedings is an abuse of process of Court and the same requires interference of this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

6. In the result, the proceedings in D.V.C.No.18 of 2014 on the file of the learned Judicial Magistrate, Tiruvottriyur is quashed and accordingly, this Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

msrm/ub
To

The learned Judicial Magistrate,
Tiruvottriyur.

+1 CC to Mr.C.R.Malarvannan, Advocate sr 65102.

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and Crl.M.P.Nos.1 & 2 of 2015

BS (CO)
SP (29/08/2019)

सत्यमेव जयते

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