

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.1517 of 2019

R. Brintha

...Petitioner

Vs.

1. P. Duwarakesh
2. K. Paramasivam
3. Suguntha
4. Kamesh
5. P.Eswari

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to issue directions to the Judicial Magistrate Court, Ambattur to take of cognizance and numbering the petitioner's complaint under Section 12 of the Domestic Violence Act, 2005 against the respondents 1 to 5.

For Petitioner : M/s.P.Kalimuthu

O R D E R

The prayer in the present petition is to issue directions to the Judicial Magistrate Court, Ambattur to take of cognizance and numbering the petitioner's complaint under Section 12 of the Domestic Violence Act, 2005 against the respondents 1 to 5.

2. This Court by an order dated 23.01.2019 has directed the registry to call for report from the learned Judicial Magistrate, Ambattur with regard to the status of the case and accordingly, the learned Judicial Magistrate, Ambattur has submitted a report dated 06.02.2019.

3. It is seen from the report submitted by the learned Judicial Magistrate, Ambattur that the petitioner did not appear before the Protection Officer for enquiry. It is also stated in the report that the respondents were only appeared before the Protection Officer and co-operated for the enquiry and the summons served to the petitioner were returned twice with

endorsement 'Door locked" and further stated that only due to the non appearance of the petitioner, the case is kept pending before the Protection Officer.

4. In view of the report submitted by the learned Judicial Magistrate, Ambattur, the petitioner is directed to appear before the Protection Officer and also co-operate for fair enquiry. Consequently, on appearance of the petitioner before the Protection Officer, the Protection Officer shall submit a report to the learned Judicial Magistrate, Ambattur.

5. On receipt of such report from the Protection Officer, the learned Judicial Magistrate, Ambattur shall pass orders within a period of four(4) weeks from the date of receipt of such report from the Protection Officer.

With the above directions, the Criminal Original Petition stands disposed of.

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Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Ambattur.
2. The Protection Officer, Tiruvallur
O/o. The District Collectorate.
Tiruvallur..

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Kalimuthu, Advocate, S.R.No.5232

CRL.O.P.No. 1517 of 2019

Kak(25/04/2019)