

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.17819 of 2018

1.Hema Ramakrishnan

2.Miss Harita Ramakrishnan

... Petitioners

Vs

1.R.V.Ramakrishnan

2.Chandravathana

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. directing the XXIII Metropolitan Magistrate, Saidapet to dispose the case in D.V.C.No.22 of 2018 by implementing the order passed in C.A.No.241 of 2010 on the file of the VI Additional Sessions Judge, Chennai dated 17.03.2011 and C.A.No.28 of 2010 on the file of the III Fast Track cum Additional District & Sessions Judge, Chennai dated 24.03.2011.

For Petitioners : Mr.C.Parimannan

O R D E R

This Criminal Original Petition has been filed seeking to directing the XXIII Metropolitan Magistrate, Saidapet to dispose the case in D.V.C.No.22 of 2018 by implementing the order passed in C.A.No.241 of 2010 on the file of the VI Additional Sessions Judge, Chennai dated 17.03.2011 and C.A.No.28 of 2010 on the file of the III Fast Track cum Additional District & Sessions Judge, Chennai dated 24.03.2011.

2.Heard the learned counsel for the petitioners.

3.The case of the prosecution is that the first respondent is the husband of the first petitioner. Their marriage was solemnized on 21.01.1988. The first petitioner's parents spent Rs.2,50,000/- for rent for the marriage hall and spent more than Rs.5,00,000/- for the marriage expenses. Immediately, after the marriage, the first petitioner was taken to the matrimonial house to lead the marital life. Out of the wedlock, the second petitioner Harita Ramakrishnan and a son named Rohit were born on 10.11.1989 and 30.04.1996 respectively. Since the grandfather was so affectionate towards the second petitioner,

he purchased two grounds of land each at Oorapakkam, Thoraipakkam and Andhra Pradesh to pursue MBBS for the second petitioner. While so, the first petitioner's father-in-law passed away and the first respondent started illegal intimacy with a lady and attempted to part away the first petitioner with the connivance of his mother, the second respondent herein. When the first petitioner resisted the matter, the first respondent attacked her in a brutal manner during January 2010, broke her back bone with an iron rod and made her unconscious. Due to the injury, the first petitioner became paralytic and unable to sit or walk and fell bedridden. Hence, the second petitioner preferred a complaint before the Police authorities and under the DV Act and report to the IX Metropolitan Magistrate, Saidapet dated 18.11.2009 to accord protection to the petitioners, recommended to award relief under Sections 18 (a) (b) (c) (d), 19(a) (b) (c) (d) and 20(a) (b) of the Protection of Women from DV Act.

4.Considering the above facts and circumstances the XXIII Metropolitan Magistrate, Saidapet is directed to complete the trial proceedings in DVC No.22 of 2018 within a period of three months from the date of receipt of a copy of this order in DVC No.22 of 2018.

5.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rna

To

1.The XXII Metropolitan Magistrate, Saidapet.

2.do Thro Chief Metropolitan Magistrate, Chennai.

3.The VI Additional Sessions Judge, Chennai.

4.The III Fast Track cum Additional District and Sessions Judge, Chennai.

+1cc to Mr.C.Parimannan, Advocate, S.R.No. 19454

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VBA(CO)
GN(01/04/2019)