

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.23781 of 2014

and

M.P.No.1 of 2014

D.MurugadossPetitioner/ Respondent

...Vs...

Raga JananiRespondent/ Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pending before the Hon'ble Magistrate Court, Ambattur vide D.V.A. No. 4 of 2014 quash the same.

For Petitioner : Mr.J.Ravi Shankar

For Respondent : No Appearance

O R D E R

This petition has been filed challenging the proceedings initiated by the respondent under the Domestic Violence Act.

2. The petitioner is the husband of the respondent. Various allegations made against the petitioner and reliefs have been sought for against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner has been directed to pay interim maintenance of Rs.5,000/- by this Court in the petition filed by the in-laws challenging the same Domestic Violence proceedings. The learned counsel further submitted that the entire proceedings have been launched only with a view to harass the petitioner and even in the divorce petition, the respondent has not come forward to cross examine the petitioner for the last two years.

4. This Court has carefully considered the submissions made by the learned counsel for the petitioner and also the materials placed on record.

5. The issues raised by the learned counsel for the petitioner are factual in nature cannot be gone into by this Court. It is left open to the petitioner to raise all these issues before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

6. In view of the fact that the petitioner has been directed to pay the interim maintenance in the connected petition filed before this Court by the in-laws, no separate orders are required to be passed in this petition with regard to the payment of interim maintenance.

7. This Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in D.V.A.No. 4 of 2014 insofar as the petitioner is concerned, within a period of three months from the date of receipt of a copy of this order. The petitioner shall be represented by a counsel before the Court below and the petitioner shall be present as and when required by the Court below during the proceedings. Consequently, connected miscellaneous petition is closed.

kal/ebsi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Judicial Magistrate Court,
Ambattur.

+1cc to Mr.J.Ravishankar, Advocate, SR.No.45308

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Kak (02/07/2019)