

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.Nos.23938 & 23940 of 2014
and
M.P.Nos.1 & 1 of 2014

Rasammal ..Petitioner in
Crl.O.P.No.23938 of 2014

1. Amutha
2. Kaliappan
3. Palaniammal ..Petitioners in
Crl.O.P.No.23940 of 2014

-Vs-

P. Kavitha .. Respondent in
both Crl.O.Ps.

Common Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in C.C.No.186 of 2012 on the file of the Court of Judicial Magistrate No.1, Mettur quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.S.Doraisamy
(in both Crl.O.Ps)

For Respondent : R.Subramanian
(in both Crl.O.Ps)

COMMON ORDER

These petitions have been filed challenging the proceedings initiated by the respondent under the Domestic Violence Act.

2.The petitioners are the mother-in-law of the respondent, the second wife/Amutha of the husband of the respondent and the parents of Amutha.

3. Heard Mr.S.Doraisamy, learned counsel appearing for the petitioners and Mr.R.Subramanian, learned counsel appearing on behalf of the respondent.

4.A carefully consideration of the submissions made on either side and the materials available on record clearly shows that the grievance of the petitioners is directed against her husband and his so called second wife. The reliefs as sought for by the petitioners also shows that it is more directed as against the husband and only general allegations have been made against the mother in-law and the parents of the second wife/Amudha.

5. In view of the above, this Court is of the considered view that the proceedings in so far as the mother-in-law [Petitioner in Crl.O.P.No.23938 of 2014] and the parents of Amutha [the second and third petitioners in Crl.O.P.No.23940 of 2014] are concerned, needs to be quashed and accordingly, it is quashed. The respondent shall prosecute the petition as against the other parties shown in the complaint.

6. Accordingly, these Criminal Original Petitions are allowed. The Court below is directed to complete the proceedings in C.C.No.186 of 2012 as against the other parties shown in the petition, within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

kal/ebsi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Judicial Magistrate No.I,
Mettur.

+lcc to Mr.R.Subramanian, Advocate, SR.No.45564/19

+lcc to Mr.S.Doraisamy, Advocate, SR.No.45613/19

Crl.O.P.Nos.23938 & 23940 of 2014
and

M.P.Nos.1 & 1 of 2014

Kak(16/07/2019)