

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.24027 of 2014

and

M.P.No.1 of 2014

1. P.Rajesh
2. P.Palaniammal
3. P.Rajasekar

..Petitioners

(1st Petitioner dismissed as withdrawn as per order of the Court dt:08.09.11 made in Crl OP.24027 of 2014)

Vs.

Dhanalakshmi

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records, relating to the proceedings in D.V.A.No.7 of 2014 on the file of Judicial Magistrate - 1, Thirupur, quash the same.

For Petitioners: Mr.R.Pasupathy

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. This petition was dismissed as withdrawn in so far as the first petitioner is concerned by order dated 08.09.2011 and the petition was kept alone only insofar as the second and third petitioners are concerned, who are mother-in-law and brother-in-law of the respondent.

3. Heard the learned counsel for the petitioner and no one appeared for the respondent.

4. A careful reading of the complaint shows that except for general allegations made against the second and third

petitioners, there are no specific allegations against them and the entire relief as sought for only against the husband who was the first petitioner in the case.

5. In view of the above, the proceedings as against petitioners 2 and 3 are abuse of process of Court and requires interference by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

6. Accordingly, this Criminal Original Petition is allowed and the proceedings in D.V.A.No.7 of 2014 on the file of Judicial Magistrate - 1, Thiruppur, is quashed in so far as the petitioners 3 and 4 are concerned. The Court below is directed to complete the proceedings in D.V.A.No.7 of 2014 as against the husband within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

kal/ebsi

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

The Judicial Magistrate - 1,
Thiruppur

+1cc to Mr.K.Pasupathy, Advocate, SR.No.45413

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Kak(15/07/2019)

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