



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.06.2019

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.Nos.24113 and 24114 of 2014
and
M.P.Nos.1, 1 and 2, 2 of 2014

C.Pushparaj Jebaselvan

...Petitioner
in both Crl.O.Ps.

Vs.

1. P. Jedidhah
2. P.Jediael Madhyah
3. E.Mary Christinal
4. C.Jaya Singh

...Respondents
in both Crl.O.Ps.

PRAYER in Crl.O.P.No.24113 of 2014: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Cr.M.P.No.6552 of 2013 in D.V.A. No.26 of 2012 dated 31.07.2014 on the file of the learned Judicial Magistrate No.VII, Coimbatore and quash the same.

PRAYER in Crl.O.P.No.24114 of 2014: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Cr.M.P.No.6553 of 2013 in D.V.A. No.26 of 2012 dated 31.07.2014 on the file of the learned Judicial Magistrate No.VII, Coimbatore and quash the same.

For Petitioner : Mr. A. Edwin Prabakar
in both Crl.O.Ps.

For Respondents 1 to 3 : Mr. S.Balasubramanian
in both Crl.O.Ps.

ORDER

These two petitions have been filed challenging the order passed by the Court below in C.M.P.No.6552 of 2013 and 6553 of 2013 wherein the petitioner has sought for recalling of PW1 for further cross examination on the basis of the documents sought to be furnished by PW1.

2. The domestic violence petition was pending before the Court below and the petitioner had chosen to file an application for a direction to the 3rd respondent herein to produce the bank



passbook and income tax returns. The Court below dismissed the petition on the ground that the economic status of the 3rd respondent is not at all relevant to come to a decision since the maintenance has been sought for only against the husband.

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3. This Court does not find any illegality or infirmity in the orders passed by the Court below and there are no grounds to interfere with the same.

4. In the result, these two Criminal Original Petitions are dismissed and there shall be a direction to the Court below to complete the proceedings in D.V.A No.26 of 2012 within a period of three months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate No.VII,
Coimbatore.

CRL.O.P.Nos.24113 and 24114 of 2014
and
M.P.Nos.1, 1 and 2, 2 of 2014

CP (CO)

RRS (31/07/2019)