

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.OP.No.18076 of 2019

1.R.Pattalageshkumar

2.R.Tamilselvi

3.RajaMohan

4.Nivetha

T.Panjavaram

... Petitioners/Respondent 1 to 4 & 6

[This Petition is dismissed in so far as the first Petitioner is confirmed vide order dated 10.07.2019 in Crl.MP.NO.9148 of 2019]

Versus

R.Vidhya

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Article 482 Cr.P.C., praying to call for the entire records relating to the complaint in D.V.C.C.No.9/17 on the file of the Judicial Magistrate, Alandur, and quash the same.

For Petitioner : Mr.P.L.Thulasidass

For Respondent: No Appearance

O R D E R

This petition has been filed by the petitioners, seeking to quash the proceedings pending against them in D.V.C.NO.9 of 2017 on the file of the Judicial Magistrate, Alandur.

2.Though notice has been served on the respondent/complainant and her name is printed in the cause list, none appears on her behalf. Hence, this Court has taken up the matter for disposal on merits.

3.The petitioners are the in-laws of the respondent/complainant. The respondent/complainant filed a complaint under Section 12 of the Domestic Violence Act against her husband and in-laws. The relief sought for in a complaint is for grant of monetary relief towards monthly maintenance for herself and child and also compensation towards loss of

matrimonial life. Apart from these, no other relief is sought for by the respondent/complainant.

4. Though some allegations have been made against the in-laws by the respondent, no relief is sought for against them and apparently, they are un-necessarily arrayed as party respondents. It is needless to point out that, if at all, the relief sought for is granted towards monthly maintenance as well as compensation, the first petitioner/husband alone could be made responsible. While that being so, it would not be appropriate to allow the in-laws to undergo the ordeal of the trial.

5. In fact, in the petition filed to quash the proceedings, insofar as the first petitioner/husband is concerned, this Court had already passed orders, dismissing the petition as against him, vide order dated 10.07.2019 in CrI.MP.No.9148 of 2019.

6. In the light of the above observations, this Criminal Original petition stands allowed accordingly, insofar as the petitioners 2 to 5 are concerned. Consequently, the proceedings in Domestic Violence case in D.V.C.No.9 of 2017 on the file of the learned Judicial Magistrate, Alandur, insofar as, petitioners 2 to 5 herein and respondents 2 to 6 therein, are quashed.

7. Since the matter has been pending from the year 2017 onwards, the learned Judicial Magistrate, Alandur shall endeavour to complete the case as expeditiously as possible, in any event, within a period of six months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Judicial Magistrate,
Alandur.
+1cc to Mr.P.L.Thulasidass, Advocate Sr.82500

CrI.O.P.No.18076 of 2019

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srg 24/10/2019