

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Thirteenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M.S. RAMESH

CRIMINAL MISCELLANEOUS PETITION No.12587 of 2019

IN CRL.OP.NO.23851 OF 2019

KOMETHAGAVEL @ IMMANUEL

[ PETITIONER ]

Vs

SHOBA

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Original Petition Number.23851 OF 2019 on the file of the High Court, the High Court will be pleased to dispense with the personal appearance of the abovenamed petitioner before the Judicial Magistrate No.I, Coimbatore in D.V.C.No.37 of 2014 and pending disposal of the Crl.O.P.No.23851 of 2019.

Order : This petition coming on for orders upon perusing the petition and Memorandum of Grounds in Crl.OP.NO.23851 of 2019 On the file of the High Court and upon hearing the arguments of M/S.RADHIKA BOOPATHI, Advocate for the petitioner, the court made the following order:-

The learned Counsel for the petitioner submitted after their marriage on 20.02.2012, the petitioner and the respondent herein have lived together for about 20 days. Even during that time, there was no consensual relationship between them. The petitioner herein, thereafter had filed a divorce petition in the year 2013. After about 6 years, the respondent herein had chosen to invoke the provisions of Domestic Violence Act in the year 2019. The learned Counsel would submit that since the petitioner herein is residing in U.S for his employment, the Domestic Violence case has been filed only for the purpose of taking vengeance. She would also submit that all the allegations made in the present petition are false and that there was no acts of domestic violence, in order to seek relief in the domestic violence case. All these aspects require further deliberations.

2. However, since the petitioner has made out a prima facie case, the personal appearance of the petitioner is dispensed with till 01.11.2019.

3. Post the Criminal Original Petition on 01.11.2019.

-sd/-

13/09/2019

This order, on being produced, be punctually observed and carried  
into execution by all concerned  
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.I, COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE (FOR INFORMATION)

C.C. to M/S.RADHIKA BOOPATHI Advocate on payment of necessary  
charges Sr.19128

Order

in  
CRL MP.12587/2019

IN CRL.OP.NO.23851 OF 2019

Date :13/09/2019

From 7.2.2001 the Registry is issuing certified  
copies of the BAIL/Anti.BAIL Orders in this format

RVR 27/09/2019

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