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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 07.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

CrI.O.P.(MD)No.15335 of 2014
and M.P.(MD)Nos.1 & 2 of 2014

1.Senthilvel
2.Janaki
3.Valarmathi
4.Sudalaimuthu

... Petitioners

Vs.

Panimala

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to M.C.No.9 of 2014 on the file of the learned Judicial Magistrate No.1, Tirunelveli, and quash the same.

For Petitioners : Mr.Muthumalai Raja
for M/s.R.John Sathyan

For Respondent : No appearance

ORDER

This Criminal Original Petition has been filed challenging an application filed under the Domestic Violence Act in M.C.No.9 of 2014 on the file of the learned Judicial Magistrate No.I, Tirunelveli. The petitioners are the respondents 2 to 5 in the above said petition. The first petitioner is the father-in-law and the second petitioner is the mother-in-law and the third petitioner is the sister-in-law and the fourth petitioner is the brother-in-law of the respondent herein.

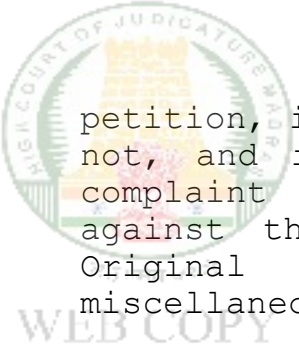
2.The learned counsel appearing for the petitioners would submit that there is no allegation against the petitioners and the respondent herein implicated these petitioners, in order to harass them.

3.Even though notice ordered to the respondent, the same could not be served on her.

4.I have heard the learned counsel for the petitioners and perused the records carefully.

<https://hcservices.ecourts.gov.in/hcservices/>

5.On perusal of the petition, it could be seen that there are some allegations made against the petitioners herein. In the quash



petition, it cannot be decided whether those allegations are true or not, and it is a matter for trial. Hence, at this stage, the complaint cannot be quashed on the ground that the allegations against the petitioners are false. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

6.Considering the fact that the petitioners herein are only in-laws of the respondent herein, their personal appearance is dispensed with and the petitioners are directed to appear before the trial Court as and when required by the learned trial Judge. Since the case in M.C.No.9 of 2014 is pending from the year 2014, the learned Judicial Magistrate No.I, Tirunelveli is directed to proceed with the trial and dispose of the case, within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

The Judicial Magistrate No.1, Tirunelveli.

Cr1.O.P. (MD) No.15335 of 2014

07.08.2019

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