



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD).No. 1312 of 2018
and Crl.M.P. (MD) No.559 of 2018

WEB COPY

Kiran

... Petitioner/1st accused

Vs.

1. The state, rep. by its,
The Inspector of Police,
Paramakudi Town,
Ramanathapuram District.
(Crime No.346 of 2017)

... 1st respondent/Complainant

2. Rajeshwari

... 2nd Respondent/
Defacto Complainant

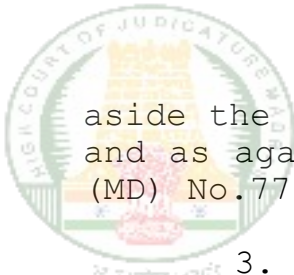
PRAYER: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the entire records in relating to impugned FIR in Crime No. 346 of 2017 on the file of the 1st respondent police and to quash the same in so far as the petitioner is concerned.

For Petitioner	:	Mr.M.S.Jeyakarthik
For R-1	:	Mr.K.Suyambulinga Bharathi Government Advocate(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to call for the entire records relating to the impugned FIR in Crime No. 346 of 2017 for the offence under Section 15(8) of Domestic Violence Rules, on the file of the 1st respondent police and to quash the same in so far as the petitioner is concerned.

2. It is seen from the records that the second respondent has preferred a complaint under the Domestic Violence Act in M.C. No.14 of 2014 before the file of the learned Judicial Magistrate, Paramakudi and by order, dated 23.06.2015, the trial Court directed the petitioner to give compensation of Rs. 1 lakh and monthly maintenance of Rs.10,000/-to the second respondent, but, the petitioner did not comply the aforesaid order. As against the aforesaid order, the petitioner has preferred a Criminal Revision Petition before the learned Additional District Court cum FTC, Paramakudi, in CRP No.23 of 2015 and the same was allowed and set



aside the order passed by the trial Court by order dated, 01.07.2017 and as against which, the second respondent has preferred a Cr.R.C. (MD) No.774 of 2017 and the same is pending before this Court.

3. Considering the facts and circumstances, till the outcome of the said revision preferred by the second respondent in Crl.R.C. (MD) No.774 of 2017 on the file of this Court. The first respondent is directed to keep the FIR in Crime No.346 of 2017 for the offence under Section 31 of the Protection of Women from Domestic Violence Act, 2005, in abeyance, Till the outcome of the verdict in Crl.R.C. (MD) No.774 of 2017 on the file of this Court.

4. With the above observations, the Criminal Original Petition is disposed off. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

ksa

To

1. The Inspector of Police,
Paramakudi Town,
Ramanathapuram District.
2. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate SR-92316.

Crl.O.P (MD) No. 1312 of 2018

16.10.2019

CS(19.11.2019) 2P 4C