



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.11.2019
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD).No.16286 of 2015

and

M.P. (MD) Nos.1 and 2 of 2015

R.Paulkani

... Petitioner/2nd respondent

Vs

J.Vanitha

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records relating to the case in M.C.No.14 of 2014, on the file of the learned Judicial Magistrate, Tiruchendur, Tuticorin District and quash the same as against the petitioners.

For Petitioner : Mr.S.Saji Bino
For Respondent : No Appearance

ORDER

The petitioner is shown as A-2 in M.C.No.14 of 2014, on the file of the learned Judicial Magistrate, Tiruchendur. The respondent herein filed the said petition under the provisions of Domestic Violence Act 2005. The marriage between the respondent herein and Chithirailingam @ Kutty took place on 19.11.2010. Their marital relationship appears to have come under strain. That led to the institution of the impugned complaint.

2.Though the respondent was served and her name is also printed in the cause list, there is no appearance on her behalf.

3.I carefully went through the contents of the impugned complaint. The primary allegations are only against the husband of the respondent, namely, Chithirailingam @ Kutty. There are no serious allegations against the petitioner herein. The petitioner is now aged about 85 years. Therefore, in this view of the matter, the impugned proceeding stands quashed as regards the petitioner herein. It is made clear that the proceedings will go on against the other two respondents. This Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (records)

// True Copy //

Sub Assistant Registrar(CS)



1. The Judicial Magistrate,
Tiruchendur, Tuticorin District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S. SAJI BINO, Advocate (SR-101679[F] dated 27/11/2019)

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MK (18.12.2019) 2P 4C