



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2019

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P(MD)No.16835 of 2017

and

CrL.M.P(MD)Nos.11103 & 1104 of 2017

Kaneeswari Ammal ...Petitioner/Respondent No.2

Vs.

1. Rajalakshmi
2. Minor Raveena ...Respondents/Complainants
(Represented by her mother and
natural guardian / 1st respondent herein)

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned proceedings in D.V.O.P.No.5 of 2017, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni and quash the same insofar as the petitioner herein is concerned.

For Petitioner : Mr.C.Deepak
For Respondents : Mr.R.Samuel Gunasingh

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in D.V.O.P.No.5 of 2017, on the file of the learned Judicial Magistrate Uthamapalayam, Theni, insofar as the petitioner herein is concerned.

2. The Petitioner is the mother-in-law of the first respondent.

3. It is seen from the records that the petitioner is living separately and the respondents are living separately and therefore, no domestic violence can be attributed as against the petitioner. The respondent has not made any specific allegations against the petitioner, except for certain general allegations and certain specific averments have been made by the respondent only against her husband. Even in the absence of a domestic relationship with the respondent, the petitioner has been roped in a Domestic Violence Petition.

4. Heard the learned counsel for the Petitioner as well as the learned counsel for the respondents.

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



5. In the considered view of this Court, the petitioner is concerned, the entire proceedings is an abuse of process of Court and the same requires interference of this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.

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6. In the result, the proceedings in D.V.O.P.No.5 of 2017, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni, is hereby, quashed insofar as the petitioner is concerned.

7. This Criminal Original Petition stands allowed accordingly. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

tsg

To

1. The Judicial Magistrate,
Uthamapalayam, Theni District.

+1CC TO MR.M.SELVENDARAN, Advocate Sr. No. 92667

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17.10.2019

SCR(CO)

TR(04.11.2019) 2P 3C