

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.32733 of 2013

and

Crl.M.P.No.1 of 2013

Saratha ... Petitioner

Vs.

shoba ... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.2083 of 2012 pending on the file of X Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner : Mr.H.Rajasekar

For Respondent : No Appearance

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.2083 of 2012 filed by the respondent as unsustainable in law.

2.The respondent/complainant had been served with the notice of this Criminal Original Petition on 29.01.2020, but she failed to appear before this Court. Thereafter, this Court by order dated 07.02.2020 directed the learned counsel for the petitioner to take paper publication and the same has been published and the name of the respondent has also been printed in the cause list. Despite taking all efforts, the respondent failed to appear before this Court or engage a counsel. Keeping this Criminal Original Petition further pending would only amount to piling up of the cases without any progress and hence, this Court decides to dispose of the Criminal Original Petition on merits.

3.It is seen that the respondent got married to one Vasu, on 12.03.2000, and they have two children through the wedlock. Their matrimonial life ran into rough weather and they got

estranged. The respondent launched Domestic Violence Proceedings in C.C.No.2083 of 2012, before the X Metropolitan Magistrate, Egmore, Chennai, against her husband Vasu, her parents-in-law, her sisters-in-law and also against her own parents. Challenging the Domestic Violence Proceedings, Saratha/Mothber-in-law is before this Court for quashing the same. On a complete reading of the complaint, it is seen that the petitioner is residing elsewhere. Even according to the complaint, the allegations against the petitioner, are indeed very vague. As stated above, the respondent had included her own parents namely, Mr. & Mrs. Nagarathinam as respondents 7 and 8, in the Domestic Violence Proceedings and it appears that the proceedings against them have been quashed in CrI.O.P.No.16555 of 2012 on 10.07.2013.

4.Be that as it may, there are no allegations against the petitioner herein warranting proceedings to be initiated.

5.In the result, this Criminal Original Petitions is allowed and the proceedings in C.C.No.2083 of 2012 on the file of the X Metropolitan Magistrate, Egmore, Chennai against the petitioner herein is hereby quashed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

The X Metropolitan Magistrate,
Egmore,
Chennai.

CrI.O.P.No.32733 of 2013

RR (CO)
smn (29/05/2020)