



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.6019 of 2020

and

Crl.M.P.No.3382 of 2020

D.Yuvaraj @ Balaji

... Petitioner

Vs

A.Deepa

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in M.C.No.70 of 2015 on the file of the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai -15 and quash the same.

For Petitioner : Mr. G.Nirmal Krishnan

ORDER

This petition has been filed to call for the records in M.C.No.70 of 2015 on the file of XVIII Metropolitan Magistrate Court, Saidapet, Chennai -15 and quash the same.

2. The petitioner and the respondent are husband and wife, and the marriage between them was solemnized on 18.02.2013. Thereafter, there were matrimonial disputes between them. Under this circumstance, the respondent herein filed a petition under Domestic Violence Act in M.C. No.70 of 2015 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai and implicated the petitioner and the respondent's in-laws as parties to the petition and sought action as against them under Domestic Violence Act. The said M.C.No.70 of 2015 is pending for trial. At this stage, the petitioner herein who is the husband of the respondent prays to quash the proceedings in M.C.No.70 of 2015.

3. Heard Mr.G.Nirmal Krishnan, learned counsel appearing for the petitioner.

4. It is seen that the relief sought for by the respondent in the domestic violence case with regard to residential rights, compensation, etc., should be made and claimed as against her



husband only. Therefore, the proceedings as against the petitioner cannot be quashed at this stage.

5. In view of the above, this Court is not inclined to quash the proceedings in M.C.No.70 of 2015, on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai insofar as the petitioner is concerned.

6. Accordingly, this criminal original petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The XVIII Metropolitan Magistrate,
Saidapet, Chennai - 15.

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