

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

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

CRL.O.P.No.21141 of 2019
and CRL.M.P.Nos.10905 & 10906 of 2019

N.Santhosh Kumar

...Petitioner

Vs.

S.Priyadarshini

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records and quash the proceedings in D.V.A.No.19 of 2018 pending on the file of Judicial Magistrate, Alandur.

For Petitioner : Mr.M.Arun

For Respondent : Mr.M.Devaraj

O R D E R

This Criminal Original Petition has been filed to call for the records and quash the proceedings in D.V.A.No.19 of 2018 pending on the file of Judicial Magistrate, Alandur.

2. The petitioner and the respondent are husband and wife, and the marriage between them was solemnized on 15.09.2011. Thereafter, there were matrimonial disputes between them. Under this circumstance, the respondent herein filed a petition under Domestic Violence Act in D.V.A. No.19 of 2018 on the file of the Judicial Magistrate, Alandur 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 D.V.A.No.19 of 2018 is pending for trial. At this stage, the petitioner herein who is the husband of the respondent prays to quash the proceedings in D.V.A.No.19 of 2018.

3. Heard Mr.M.Arun, learned counsel appearing for the petitioner and Mr.M.Devaraj, learned counsel appearing for the

respondent.

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 DVA.No.19 of 2019, on the file of the Judicial Magistrate, Alandur insofar as the petitioner is concerned.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ebsi

To

1. The Judicial Magistrate,
Alandur.

+1cc to Mr.M.Devaraj, Advocate, Sr.No.19478

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CRL.O.P.No.21141 of 2019
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BR(CO)
GS(28/05/2020)