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CRL.O.P.(MD)NO. 8833 OF 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)Nos.8833 & 8913 of 2016
and
Crl.M.P.(MD)Nos.4311, 4312, 4396 & 4397 of 2016

1. S.Mani
2. M.Manonmani
3. M.Anitha
4. M.Jayakumari ... Petitioners/Respondents 2 to 4
in Crl.O.P.(MD)No.8833 of 2016

M.Suresh Kumar ... Petitioner/Respondent No.1
in Crl.O.P.(MD)No.8913 of 2016

Vs.

T.Anu @ Anamika ... Respondent/Complainant
in both petitions.

Common Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the case in D.V.C.No.33 of 2016 pending on the file of the learned Additional Mahila Court, Tiruchirappalli and quash the same in so far as the petitioners are concerned.

(in both Crl.O.Ps.)

For Petitioners : Mr.N.Dilip Kumar

For Respondent : Mr.J.K.Jeyaseelan

C O M M O N O R D E R

These criminal original petitions have been filed for quashing the impugned proceedings in D.V.C.No.33 of 2016 on the file of the Additional Mahila Court, Tiruchirappalli. The said petition was filed by T.Anu @ Anamika. Her marriage with Suresh Kumar was solemnized on 15.03.2013 at Samayapuram. The matrimonial home was at Bellari. The relationship between Suresh Kumar and Anu had come under strain and that led to the institution of the impugned proceedings.

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



2. The petitioners in Crl.O.P.(MD)No.8833 of 2016 are the in-laws of the defacto complainant. At no point of time they were part of the shared household. Therefore, I am of the view that the impugned proceedings will be maintainable only against Suresh Kumar. Since the in-laws were not part of the shared household, the impugned proceedings stands quashed as far as they are concerned.

3. Crl.O.P.(MD)No.8833 of 2016 stands allowed, accordingly. Crl.O.P.(MD)No.8913 of 2016 stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1. The Judge, Additional Mahila Court,
Tiruchirappalli.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.J.K.JAYASEELAN, Advocate (SR-3380 & 3381[F]

+2 CC to M/s.N.DILIP KUMAR, Advocate (SR-3392 & 3393 [F]

Crl.O.P.(MD)Nos.8833 & 8913 of 2016 and
Crl.M.P.(MD)Nos.4311, 4312, 4396 & 4397 of 2016
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SDS (17.02.2020) 2P-7C