



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.8912 of 2016

and

Crl.M.P.(MD)No.4393 of 2016

1.C.Rajasekar
2.M.Chandrasekar
3.C.Selvi

... Petitioners / Respondents

-vs-

1.Muthumeena
2.Minor.Mahalakshmi
3.Minor Athesh @ Vetrivel

(R2 and R3 represented through
their mother and guardian
the 1st Respondent))

... Respondents / Petitioners

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to call for the records in D.V.C.No.1 of 2016 on the file of the Judicial Magistrate No.2, Srivilliputhur under the provisions of the Protection of Woman from Domestic Violence Act 2005 and quash the same.

For Petitioners : Mr.V.Kannan

For Respondents : Mr.M.Thirunavukkarasu

O R D E R

The petitioners have filed this Criminal Original Petition for quashing the impugned proceedings instituted by the respondents under the provisions of Protection of Women from Domestic Violence Act, 2015.

2.Heard the learned counsel on either side.

3.The learned counsel for the respondents would point out that definite allegations have been made against the petitioners herein in the impugned petition in D.V.C.No.1 of 2016 on the file of the Judicial Magistrate Court, No.2, Srivilliputhur. He would also



point out that the first respondent herein filed a divorce petition against the first petitioner herein and the marriage was also dissolved.

4. In view of the specific allegations made against the petitioners herein, I am of the view that a case for quashing has not been made out. Therefore, this Criminal Original Petition stands dismissed. It is made clear that this Court has not gone into the merits of the matter. The defences of the petitioners are left open. The personal appearance of the petitioners 2 and 3 before the Court below, is dispensed with.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Judicial Magistrate Court, No.2,
Srivilliputhur.

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-636[F] dated
08/01/2020)

Crl.O.P. (MD)No.8912 of 2016

and

Crl.M.P. (MD)No.4393 of 2016

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SDS (03.06.2020) 2P-3C