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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Cr1.O.P.No.18439 of 2015
and M.P.No.1 of 2015

1.K.Muruganandam
2. P.S.Kaliyamoorthy
3.K.Rajeswari

.. Petitioners/Accused No.1,2,3

Vs.

M.Sumathy

.. Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in connection with the case in C.C.No.7762 of 2014 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai, and quash the same.

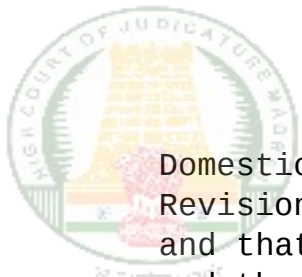
For Petitioners .. Ms.Jayaganga
for Mr.R.Srinivas

For Respondent .. Ms.R.Sumithra
Chakkaravarthi

ORDER

This Criminal Original Petition has been filed to call for the records in C.C.No.7762 of 2014 on the file of the V Metropolitan Magistrate Court, Egmore, Chennai and to quash the same.

2.A learned Single Judge of this Court in a batch of cases in Cr1.O.P.No.28458 of 2019 etc., batch, vide common order dated 18.01.2021, in Dr.P.Pathmanathan and 2 others v. Tmt.V.Monica and another (2021 (2) CTC 57), had very categorically held that any proceedings questioning the pendency of complaints preferred under the Protection of Women from



Domestic Violence Act, 2005, should only be preferred as a Civil Revision Petition under Article 227 of the Constitution of India and that the petition under Section 482 of Cr.P.C., would not lie and the same is not maintainable.

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3. Accordingly, the Criminal Original Petition stands dismissed. The connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smv/psa

To:

The V Metropolitan Magistrate,
Egmore, Chennai.

Cr1.O.P.No.18439 of 2015
and M.P.No.1 of 2015

GP(CO)
SB(22/10/2021)