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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.09.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.17720/2016 & Crl.MP.No.8446/2016

[Video Conferencing]

1.Devaraj
2.Karthikeyan

...Petitioners/3rd and 5th Respondents

Versus

Mrs.D.Pushpa

...Respondent/Complainant

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records and quash the case in MC.No.21/2016 on the file of the learned XXIII Metropolitan Magistrate, at Saidapet, Chennai.

For Petitioners : Mr.Palaniyandy

ORDER

- (1) A learned Single Judge of this Court in a batch of cases in Crl.O.P.No.28458/2019 etc., batch, [Dr.Padmanathan and Others Vs. Tmt. Monica and Others] vide common order dated 18.01.2021, 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.
- (2) Additionally, the learned counsel for the petitioner submits that nothing further survives as the Trial Court had disposed of MC.No.21/2016.



(3) Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions stand closed.

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Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

AP

To

The XXIII Metropolitan Magistrate, Saidapet, Chennai.

CrI.OP.No.17720/2016

SJ (CO)

K.RK. (04.10.2021)