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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.22189/2015

[Video Conferencing]

1. Shanmugam
2. Rangasamy
3. Ramathal

... Petitioners

Versus

D.Gomathi

... Respondent

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records with respect of DVA.4 of 2015 on the file of Judicial Magistrate, Avinasi filed by the respondent and quash the same.

For Petitioners : M/s.M.Premalatha
for Mr.R.Nalliyappan

For Respondent : M/s.P.Saravana Sowmiyan

ORDER

- (1) A learned Single Judge of this Court in a batch of cases in Crl.O.P.No.28458/2019 etc., batch, 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) Accordingly, the Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar



AP

To

1. The Judicial Magistrate
Avinasi.

2. The Public Prosecutor
High Court, Madras.

Crl.OP.No.22189/2015

SMI (CO)
CT(17/09/2021)