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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.18562 of 2016 & Crl.MP.No.8719/2016

[Video Conferencing]

1.Kirubasankar
2.Kuppusamy
3.Malarvizhi

... Petitioners/Respondents

Versus

Vijayalakshmi

... Respondent/Petitioner

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records leading to the initiation of the Domestic Violence Case No.8/2016 pending on the file of the Judicial Magistrate No.1, Poonamallee and quash the same.

For Petitioners : Mr.M.Narayanaswamy

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 states that the matter has been settled.



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

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP
To

- 1.The Judicial Magistrate No.1,
Poonamallee.
- 2.-Do- Thro The Chief Judicial Magistrate,
Egmore, Chennai.

Crl.OP.No.18562/2016

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