



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2021

CORAM

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

Crl.O.P.No.29767 of 2015
and M.P.No.1 of 2015

1.K.R.Vanaja
2.Kantharaj

...Petitioners / Accused No.2 & 3

Vs.

Abirami

...Respondent / Defecto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in M.C.No.22 of 2015 on the file of Judicial Magistrate-I, Pondicherry and quash the same.

For Petitioners	..	Ms.K.Sumathi
For Respondent	..	No Appearance

ORDER

When the matter was taken up for hearing, there was no representation for the respondent.

2. A learned Single Judge of this Court in a batch of cases in Crl.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.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssk



To

The Judicial Magistrate-I,
Pondicherry.

WEB COPY

Crl.O.P.No.29767 of 2015
and M.P.No.1 of 2015

KSM(CO)
RVM(07/10/2021)