



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.09.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Cr1.OP.No.2330/2016 & Cr1.MP.No.1220/2016

[Video Conferencing]

Sivakumar

...Petitioner

Versus

Hemavathi

...Respondent

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records in MC.No.41/2015 on the file of the learned Judicial Magistrate at Sirkali, and to quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.B.Baskaran

For Respondent : K.Gandhikumar

ORDER

- (1) A learned Single Judge of this Court in a batch of cases in Cr1.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) Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions stand closed.

Sd/-
Assistant Registrar (CCC)

// True Copy //

Sub Assistant Registrar

AP



To

1.The Judicial Magistrate,
Sirkali.

2.The Public Prosecutor
High Court, Chennai.

Cr1.OP.No.2330/2016

SR-II(CO)
RVM(06/10/2021)