

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16361 of 2019
and Crl.M.P.No.8190 of 2019

P.Sathyannarayanan ... Petitioner

Vs.

S.Kanchanamala ... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to set aside the order dated 11.04.2019 in No.206 of 2019 in DV.No.7 of 2017 on the file of the learned Judicial Magistrate, Ambattur.

For Petitioner : Mrs. Sridevi.S.

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed challenging the order passed by the Court below in CMP. No.206 of 2019, dated 11.04.2019 on the file of the learned Judicial Magistrate, Ambattur.

2. In the considered view of this Court, the petitioner has an effective alternative remedy under Section 29 of the Protection of Women from Domestic Violence Act, 2005 to file an appeal before the Court of Sessions within 30 days

from the date of the order made by the Magistrate. This Court has already held that such an appellate remedy is available as against any order passed by the Magistrate. Therefore, the petitioner has to necessarily avail of the appellate remedy and cannot approach this Court directly.

3. In view of the above, liberty is granted to the petitioner to approach the Court of Sessions and work out his remedy in accordance with law.

4. This Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

04.02.2021

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

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To

1. The Sub-Inspector of Police
Thiruvallam Police Station
Thiruvallam, Vellore District

2. The Public Prosecutor
High Court of Madras
Chennai – 600 104.

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