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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL. O.P. NO.28871 OF 2017

AND

CRL.M.P.NOS.16331 AND 16332 OF 2017

1.Sarangapani
2.Anbazhagi
3.Anandhi
4.Shanthi

...Petitioners

Vs

K.Kalaiselvi

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to quash the entire proceedings in M.C.No.29 of 2015 on the file of the Judicial Magistrate Court, Sirkali against the petitioners 1 to 4.

For Petitioners ... Mr.R.Ashraf Khan

For Respondent ... Mr.R.Shivakumar

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in M.C.No.29 of 2015, pending on the file of the learned Judicial Magistrate, Sirkali, against the petitioners 1 to 4 and the relief sought primarily relates to maintenance and also the protection order against the petitioners not to harass the respondent herein.

2. Heard the learned counsel appearing on either side and perused the materials available on record.



3. As the petitioners will be normally arrayed as respondent in those matters and no penal provision will apply. What is required to be seen by the Magistrate is to find out whether any Domestic Violence has been committed or not. In such a view of the matter, this Court is not inclined to entertain this Criminal Original petition.

4. In the result, this Criminal Original Petition is dismissed. Taking into consideration, the facts and circumstances of the case, the presence of the petitioners before the Trial Court is dispensed with except for receipt of copies. They shall be represented by a counsel, who shall cross examine the witnesses on the same day, when the witnesses are examined in Chief. Consequently, connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

mvs

To

1. The Judicial Magistrate Court, Sirkali
2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Ashraf Khan, Advocate, S.R.No.68877

Crl. O.P. No.28871 of 2017

RLD(CO)
RLP(06/01/2022)