

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Tenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4977 of 2019

AND

CRL MP(MD). 3108/ 2019

1 VENKADASAMY
2 PARVATHI
3 GOPAL

... PETITIONERS / ACCUSED NO.2 TO 4

Vs

1 VIJAYA@ VIJAYALAKSHMI
2 VEERA VASIHNAVI
REB.BY HER MOTHER AS NATURAL
GUARDIAN AND NEXT FRIEND
TO THE 2nd RESPONDENT MINOR

... RESPONDENTS / COMPLAINANTS

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to call for the proceedings in connection with D.V.C.No.1 of 2017 on the file of the Learned Judicial Magistrate, Aruppukottai, Virudhunagar District and quash the same.

Prayer in CRL MP(MD). 3108/ 2019 :

To stay all further and other proceedings in connection with D.V.C.No.1 of 2017 on the file of the Learned Judicial Magistrate, Aruppukottai, Virudhunagar District pending disposal of the above quash petition.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.B.JEYAKUMAR, Advocate for the petitioners, the court made the following order:-

Notice to the respondents through Court as well as privately returnable by two weeks.

2.The petitioners are the father-in-law, mother-in-law and brother-in-law of the first respondent herein respectively. The second respondent is the daughter of the first respondent herein. The marriage in between one Balamurugan and the first respondent was solemnized on 08.02.2007. Thereafter, they blessed with one female child / second respondent herein. After that, there is no

compatibility in between them. Hence, the first respondent / defacto complainant has filed H.M.O.P.No.170 of 2016 and they got divorce.

3.The learned counsel appearing for the petitioners would submit that without any allegation against these petitioners, they are unnecessarily implicated in this case and after getting divorce, they are living separately.

4.Since *prima facie* case has been made out, there shall be an order of interim stay of proceedings in D.V.C.No.1 of 2017 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar District for a period of two weeks, insofar as the petitioners are concerned. Insofar as other persons, the trial Court may proceed with the case.

5.Post the matter after two weeks.

sd/-
10/04/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

+1. CC to Mr. B. JEYAKUMAR Advocate SR.No.6541

PS/JC/SAR-2/22.04.2019/2P/4C

ORDER
IN

CRL OP(MD) No.4977 of 2019
AND
CRL MP(MD). 3108/ 2019
Date :10/04/2019