



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CrI.O.P. (MD) No.15126 of 2021

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S.Priya

... Petitioner

Vs.

1.Jacob

2.Esther

3.Anitha Jacob

4.Muniyammal @ Guruvammal

5.Stalin Jacob

6.The State through the,
Inspector of Police,
Thalakulam All Women Police Station,
Madurai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Additional Mahila Court at Madurai to expeditiously dispose of the petition in DV.OP.No.31 of 2020 pending on the file of the Learned Additional Mahila Court Madurai, within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

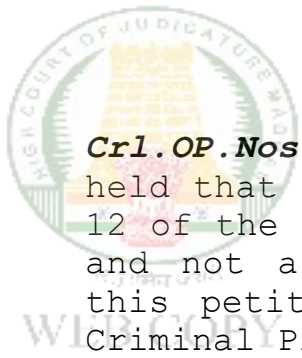
For R6 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the learned Judge, Additional Mahila Court, Madurai to expedite the trial process in DV.OP.No.31 of 2020 and complete the same within the time stipulated by this Court.

2.The grievance of the petitioner is that even though the case has been registered in 2020, so far no progress has been made.

3.In the judgment of the Co-ordinate Bench of this Court in a batch of Criminal Original Petitions ***dated 18.01.2021,***
<https://hcservices.ecourts.gov.in/hcservices/>



CrI.OP.Nos.28458 of 2019 etc., batch, this Court has categorically held that the petition filed by the aggrieved person under Section 12 of the Domestic Violence Act, 2005, is only a civil proceedings and not a criminal proceedings. As per the aforesaid judgment, this petition, which is filed under Section 482 of the Code of Criminal Procedure, will not lie.

4.Further, in the aforesaid judgment a direction is also issued to all the Subordinate Courts to expedite the trial process and dispose of the same within a period of 3 months from the date of receipt of a copy of the order. The direction issued in the aforesaid judgment has to be complied with by the learned Judge, Additional Mahila Court, Madurai also.

5.In view of the above, even though this petition is not lie, there shall be a direction to the learned Judge, Additional Mahila Court, Madurai to expedite the trial process in DV.OP.No.31 of 2020 and disposed of the same within a period of 3 months from the date of receipt of a copy of this order.

6.With the aforesaid direction, this petition is dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judge,
Additional Mahila Court,
Madurai.

2.The Inspector of Police,
Thalakulam All Women Police Station,
Madurai.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RK (01/11/2021) 3P 4C