



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

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

Crl.O.P. (MD) No.21649 of 2018

and Crl.M.P. (MD) .Nos.10038 & 10039 of 2018

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1.Raja @ Sankar
2.Mangayarkarasi
3.Krishnamurthy
4.Geetha
5.Ashok

... Petitioners/Accused 1, 2, 4, 5 & 6

Vs.

M.Parameswari

.. Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the D.V.C.case No.5/2018 on the file of the learned Judicial Magistrate, Musiri, Trichy District and quash the same as against these petitioners.

For Petitioner : Mr.M.Bindran

For Respondents : Mr.J.Madhu

ORDER

This petition has been filed seeking quashment of the D.V.C.case No.5/2018 on the file of the learned Judicial Magistrate, Musiri, Trichy.

2.It has been settled by this Court in a batch of Criminal original petitions in Dr.Paranthaman's case, that petition under Section 482 Cr.P.C. is not maintainable for quashment of cases under DV Act. A clear direction has been issued to all the Courts, which deal with DV Act matters that they shall conclude the proceedings within a period of three months. It is the matter of the year 2016. Hence, the trial Court ought to have complied the above said order. Even though the matter has been referred to a Larger Bench, I am of the considered view that since already direction has been issued to complete the proceedings, within a period of three months from the date of filing of the case, so quashment cannot be issued by this Court. However, on the basis of the outcome of the proceedings in the Larger Bench, the petitioner can workout his remedy in the



manner known to law.

3. With the above directions and liberty, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Judicial Magistrate, Musiri, Trichy District.

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RD(30.11.2021) 2P 2C