



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P.(MD)No.18651 of 2021

WEB COPY

1. Suyalaly

2. A.S.Alstan

Rep. By his guardian/mother/

1st petitioner

... Petitioners / Petitioners

Vs.

1. Alphin Jeyasingh

2. Bowas

3. Selvi Leelabai

4. Perlín Jeyakumari

5. Jagulin Jeyakumari

6. Asphin Jeyasingh

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the Judicial Magistrate No.I, Eraniel, to expedite the trial and dispose the case in D.V.C.No.11 of 2019 on its file within the time frame fixed this Court.

For Petitioners : Mr.M.Subash Babu

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing D.V.C.No.11 of 2019 on the file of the Judicial Magistrate No.I, Eraniel.

3. Considering the nature of relief to be granted, issuance of notice to the respondents is dispensed with.

4. The complaint has been filed under the provisions of the Protection of Women from Domestic Violence Act, 2005. The learned counsel appearing for the petitioners draws my attention to Section 12(5) of the Act which states that the Magistrate shall endeavour to dispose of every application made under sub-section (1) within a period of sixty days from the date of its first hearing.

5. In this case, the complaint was filed way back in the year 2019. Keeping the petition pending for more than two years is not an acceptable state of affairs. The learned trial Magistrate is



directed to dispose of D.V.C.No.11 of 2019 on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

6. This criminal original petition is disposed of accordingly.

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Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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:

The Judicial Magistrate No.I,
Eraniel.

Copy to

The Registrar(Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-36916[F] dated 01/12/2021)

Crl.O.P.(MD)No.18651 of 2021
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RK(20/12/2021) 2P 4C