



Crl.O.P.No.5175 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM

THE HON'BLE Mr.JUSTICE SUNDER MOHAN

Crl.O.P.No.5175 of 2016

and

Crl.M.P.Nos.2704 & 2705 of 2016

1.Selvamoorthy
2.S.Nirmala
3.S.Saravanan

... Petitioners

-Vs.-

D.Surya

.. Respondent

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records relating to the complaint in M.C.No.65 of 2014 on the file of the XVII M.M. Court, Saidapet and quash the same by allowing this criminal original petition.

For Petitioner :Mr.K.Gowthaman
For Respondent :No appearance



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ORDER

The petitioners have challenged the Proceedings initiated under the Domestic Violence Act under Section 482 of Cr.P.C.

2.A Larger Bench of this Court in a recent Judgment dated 17.11.2022 in *Arul Daniel vs. Suganya* in *Crl.O.P.No.SR No.31852 of 2022* held that a petition under Section 482 Cr.P.C is not maintainable as against the proceedings under the Domestic Violence Act. In view of the said Judgment, the above petition is not maintainable. Hence, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

3.However, it is open to the petitioners to pursue other remedies that are available to them in law.

02.12.2022

Speaking/Non-speaking order

Index: Yes/No

Internet : Yes/No

nsa



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To

The Judicial Magistrate No.I,
Coimbatore



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SUNDER MOHAN.J.,

nsa

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