



Crl.O.P.No.30252 of 2018

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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.30252 of 2018

S.Ashok Kumar

... Petitioner

-Vs.-

A.Nivethitha

.. Respondent

Criminal Original Petition filed under Section 407(1)(c) of Code of Criminal Procedure to withdraw the DVC No.18 of 2018 pending on the file of the Judicial Magistrate Court No.III, Tiruvannamalai and to transfer the same to the file of Judicial Magistrate Court, Tambaram.

For Petitioner :No appearance
For Respondent :No appearance

ORDER

The petitioner has sought for the transfer of D.V.C.No.18 of 2018, which is initiated under the Domestic Violence Act, under Section 482 of Cr.P.C.



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2. There is no representation for the petitioner and the respondent.

3. 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.

4. However, it is open to the petitioner to pursue other remedies that are available to him in law.

02.12.2022

Speaking/Non-speaking order
Index: Yes/No
Internet : Yes/No
nsa



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To

1.The Judicial Magistrate Court No.III,
Tiruvannamalai.

2.The Judicial Magistrate Court,
Tambaram.



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SUNDER MOHAN.J.,

nsa

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