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Crl.O.P.No.7912 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7912 of 2023

Sharmila Maheswari

... Petitioner

Vs.

1.Harish Babu

2.Amudha Krishnan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the learned Judicial Magistrate at Ambattur to dispose of D.V.C.No.09 of 2022 on the file of the Judicial Magistrate Court at Ambattur within a time frame manner.

For Petitioner : Mr.Arvind Athithan

For Respondents : Mr.C.Prakasam

ORDER

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



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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.

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

12.04.2023

Index :Yes/No

Internet:Yes/No

Neutral Citation Case: Yes/No

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1. The Judicial Magistrate,
Ambattur.



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SUNDER MOHAN, J.

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