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Crl.O.P.No.16658 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16658 of 2023

K.Muniammal

.. Petitioner

Versus

1. The State,
Rep. by the Inspector of Police,
All Women Police Station,
Gingee,
Villupuram District - 604 202.

2. S.Ravi @ Ravichandran

3. S.Valarmathi

4. N.Shanmugam

5. B.Radha

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate, Gingee to take up the petition filed by the petitioner in C.M.P.SR.No.1093 of 2023 dated 04.03.2023 on file and pass an order on the same in accordance with law.

For Petitioner : Mr.J.Ashok

**For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor,
for R1**



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ORDER

This petition has been filed for a direction to the learned Judicial Magistrate, Gingee to take up the application filed by the petitioner under Section 156(3) of Cr.P.C., and to pass orders in accordance with law.

2. Heard Mr.J.Ashok, learned Counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the first respondent.

3. On carefully going through the application that was filed before the Court below, it is seen that most of the reliefs that have been sought for pertain to the reliefs that can be granted only under the Domestic Violence Act. That is the reason why the Court below has returned the application and directed the petitioner to workout the remedy by filing a petition under the Domestic Violence Act. This Court does not find any infirmity in the decision taken by the Court below to return back the application.



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4. It is left open to the petitioner to file a fresh application before the concerned Court by making necessary allegations to constitute a cognizable offence and if such an application is made, the learned Magistrate shall deal with the same on its own merits and in accordance with law under Section 156(3) of Cr.P.C.

5. This Criminal Original Petition is disposed off with the above directions.

26.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

The Judicial Magistrate,
Gingee.



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N.ANAND VENKATESH, J.
grs

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