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Crl OP No. 25055 / 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Criminal Original Petition No. 25055 of 2019
and

Crl.M.P. Nos. 14992 & 14993 of 2019

1. Sathishkumar

2. Govindaraj

3. Visalakshi

4. Tamilarasi

5. Raguvaran

... Petitioners

Versus

Varshini

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to call for the records and quash the proceedings in D.V. No. 108 of 2019 dated 24.04.2019 on the file of the Judicial Magistrate No.VII, Coimbatore.

For Petitioners : Mr. B. Ramamoorthy.

For Respondent : Mr. P. Suresh Babu

ORDER

This Criminal Original Petition has been filed to quash the



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proceedings in D.V. No. 108 of 2019 dated 24.04.2019.

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

3.Hence, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed. However, it is open to the petitioners to pursue other remedies that are available to them in law.

08.03.2023

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No



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To

1. The Judicial Magistrate No.VII,
Coimbatore.
2. The Additional Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J

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