



Crl.O.P.No.27849 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.27849 of 2019

and

Crl.M.P. Nos.14830 & 14831 of 2019

1. Madhu
2. Mariamal
3. Shanthi
4. Jothika
5. Perumal
6. Shenbagam

... Petitioners

Vs.

1. Elavarasi

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code seeking to call for the records of the Domestic Violence Original Petition 2 of 2019 on the file of the Judicial Magistrate, Pappireddipatty, Dharmapuri District and quash the same as against the petitioner.



For Petitioner : No Appearance
For Respondents : Not ready in notice.

ORDER

This Criminal Original Petition has been filed to quash the proceedings in D.V.O.P. No.2 of 2019 on the file of the Judicial Magistrate, Pappireddipatty, Dharmapuri District.

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.



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3. Hence, this Criminal Original Petition is dismissed, giving liberty to the petitioners to pursue their remedy in accordance with law.

Consequently, the connected Miscellaneous Petitions are closed.

09.03.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation :Yes/No
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To
The Judicial Magistrate, Pappireddipatty,
Dharmapuri District.



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SUNDER MOHAN. J.

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