



Crl.O.P(MD).No.2540 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE P. DHANABAL

Crl.O.P(MD).No.2540 of 2020

and

Crl.M.P.(MD)Nos.1320 and 1321 of 2020

1.Balraj
2.Ponnuthai
3.Ilakkiya
4.Suganya
5.Uma Maheswari
6.Paranthaman

...Petitioners

Vs

N.Nivitha Sri

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to call for the records relating to the impugned private complaint in Cr.M.P.No.34 of 2019 on the file of the Additional Mahila Court (Judicial Magistrate), Madurai, and quash the same.

For Petitioners : Mr.K.Appadurai
For Respondent : Mr.R.Rajamohan

ORDER

When the matter was taken up today for hearing, the learned counsel appearing of the respondent represented that this case is pertaining to Section 12 of Protection of Women from Domestic Violence Act and already the



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P. DHANABAL,J.

Mrn

Hon'ble Full Bench of this Court in reference in the case of *Arul Daniel and Others v. Suganya and others* reported in **CDJ 2022 MHC 8250**, held that as against Section 12 of Protection of Women from Domestic Violence Act proceedings before this Court under Section 482 of Cr.P.C., would not lie, since the matter is civil in nature.

2.In view of the aforesaid judgment, this Criminal Original Petition is dismissed with liberty to file fresh application before appropriate forum in accordance with law. Consequently, connected miscellaneous petitions are closed.

07.09.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
Mrn

To

1.The Judge, Additional Mahila Court (Judicial Magistrate), Madurai.

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