



Crl.R.C.(MD).No.3874 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P(MD).No.3874 of 2019

and

Crl.M.P(MD).No.2280 of 2019

1.Bharakat Beevi

2.Shaukat Ali

3.Nawaz Khan

... Petitioners

Vs.

Mohamed Ayesha Siddiqua

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the complaint in M.C.No. 19 of 2018 on the file of the Judicial Magistrate No.V, Tirunelveli and quash the same.

For Petitioner : Mr.C.Susi Kumar
For Respondent : Mr.K.R.Manimaran
Legal Aid Counsel



Crl.R.C.(MD).No.3874 of 2019

ORDER

WEB COPY

This Criminal Original Petition has been filed to call for the records relating to the complaint in M.C.No.19 of 2018 on the file of the Judicial Magistrate No.V, Tirunelveli and quash the same.

2. The Hon'ble Full Bench of this Court in the case of *Arul Daniel and others Vs. Suganya* reported in 2022 SCC Online Mad 5435, has held that a petition under Section 482 of Cr.P.C. challenging a proceeding under Section 12 of the Domestic Violence Act is not maintainable.

3. In view of the above, this Criminal Original Petition is dismissed and the petitioners are workout their remedy through appropriate proceedings before the appropriate forum. Consequently, the connected miscellaneous petition is closed.

13.02.2023

Index : Yes / No
Internet : Yes / No
tta



WEB COPY



Crl.R.C.(MD).No.3874 of 2019

G.ILANGO VAN,J.

tta

CrI.O.P(MD).No.3874 of 2019
and
CrI.M.P(MD).No.2280 of 2019

13.02.2023