



C.R.P. (PD) No.3151 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Civil Revision Petition (PD) No.3151 of 2024
and C.M.P.Nos.16854 & 16855 of 2024

1.R.Paulsamy
2.R.Annakodi
3.P.Rajendran
4.R.Bharathimalar
5.R.Rani

.. Petitioners/Respondents 1 to 5

Versus

S.Priyadharshini

.. Respondent/Complainant

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the petition in D.V.C.No.1 of 2024 pending on the file of the learned District Munsif cum Judicial Magistrate, Kodumudi as abuse process of law and strike off the name of the petitioners.

For the Petitioners : Mr.T.Sudhanraj

ORDER

This Civil Revision Petition seeks to quash the proceedings in D.V.C.No.1 of 2024 on the file of the District Munsif cum Judicial Magistrate, Kodumudi.



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2. The 1st petitioner is the husband. 2nd and 3rd petitioners are the father and mother in law of the respondent. 4th and 5th petitioners are the brother-in-law and sister-in-law.

3. Perusal of the complaint shows that the respondent/wife has made specific allegations against each of the petitioners. Therefore, this is not a complaint which is bereft of details. The allegations, if proved, would attract Section 3 of the Protection of Women from Domestic Violence Act, 2005. Therefore, I am not inclined to quash the complaint.

4. However, taking into consideration the age and status of the petitioners 2 to 5, their appearance is dispensed with for all the hearing dates where their presence is not essential. On non-essential hearings, the petitioners 2 to 5 shall be represented through their counsel. However, they shall appear before the Court below, when their presence is essential and indispensable. The benefit of dispensing with the presence will not enure in favour of the 1st petitioner.



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5. In the result, this Civil Revision Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

07.08.2024

Index : Yes / No
Internet: Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No
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To
The District Munsif cum Judicial Magistrate, Kodumudi.



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V.LAKSHMINARAYANAN, J.,

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