



CRP No.3597 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :03.07.2025

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CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.R.P.No.3597 of 2024 and CMP No.19510 of 2024

1.Meherunnisa

2.Mushtaq Ahmed

... Petitioners

VS

1.Ms.Vajeeha Banu

2.L.Suhail Aftab

.. Respondents

Revision filed under Article 227 of the Constitution of India against the complaint in DVC No.22 of 2022 on the file of XV Metropolitan Magistrate, George Town, Chennai.

For Petitioners : Ms.Kowser Sulthana

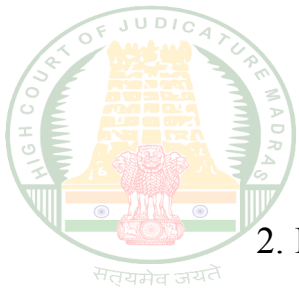
For Respondents : Mr.Raj Kumar

For R.1

R.2 – No appearance

ORDER

The petitioners are the respondents 2 and 3 in DVC No.22 of 2022 before the XV Metropolitan Magistrate, George Town, Chennai. The first respondent is the wife of the second respondent. The first petitioner is the sister-in-law and the second petitioner is the brother-in-law of the second respondent.



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2. Learned counsel for the petitioner invites my attention to the Domestic

Violence Complaint and states that not a single allegation has been made against the petitioners herein warranting issuance of notice in the Domestic Violence Complaint to the revision petitioners and therefore, the learned counsel would seek to strike off the complaint given under Domestic Violence Act against the revision petitioners.

3. Learned counsel for the first respondent would state that allegations have been against both these petitioners in the Domestic Violence Complaint and that the first petitioner is forcing the first respondent to give adoption of her daughter.

4. I do not find any specific averment set out in the domestic violence complaint. Only general allegations have been made against these revision petitioners. Further, I find in paragraph No.14 of the Domestic Violence Complaint, the statement made by the first respondent is that her mother-in-law who is no more, had plans to give the newborn girl child in adoption to the first respondent's sister viz., the first revision petitioner herein. Even the said allegation is not against the first revision petitioner, but, only against her mother-in-law, who is also no more and further allegation of demand of dowry



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has already been directed against the first respondent's husband and the mother

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and not even a single allegation has been made specifically alleging any act of domestic violence against the revision petitioners.

5. In view of the above, I am not inclined to permit the first respondent to continue to proceed against the revision petitioners herein in the domestic violence complaint. Further, serious allegations have been made against the second respondent/husband, the first respondent shall be entitled to continue the domestic violence act as against her husband. Insofar as the revision petitioners are concerned, the complaint given against the revision petitioners under Domestic Violence Act, is struck off.

6. In the result, the civil revision petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

03.07.2025

Index: Yes/No
Website:yes/no
Speaking Order/Non-speaking Order
sr
To

XV Metropolitan Magistrate, George Town, Chennai

P.B.BALAJI.,J.



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