



CRP(MD). No.431 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/08/2025

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.431 of 2025 and
CMP(MD) No.2472 of 2025**

1. Karthick,

2. Arumugam,

3. Saraswathi

... Petitioners

Vs

1. Hamsath Thoni,
D/o.Subramanian,
No.81/101b, North Car Street,
Vadakku Valliyoor,
Radhapuram Taluk,
Tirunelveli District..

2. Ponmahallakshmi Alias Valar,
W/o.Navaneethakrishnan,
No.24, Bharathi Nagar 1st Street,
Perumalpuram,
Palayamkottai,
Tirunelveli District..

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of Constitution of India, to allow the civil revision petition and strike off petition D.V.C.No.25 of 2024 on the file of the Judicial Magistrate,



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Valliyoor, insofar as the petitioner concern.

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For Petitioner : Mr.C.Saravanakumar

For Respondents : Mr.M.Subbiah for R1

No appearance for R2

ORDER

The Civil Revision Petition is filed to strike off the proceedings made in D.V.C.No.25 of 2024 on the file of the Judicial Magistrate, Valliyoor.

2. The petitioners herein are respondent Nos.1 to 3 in D.V.C.No.25 of 2024, which was initiated by the first respondent before the Judicial Magistrate, Valliyoor, under the provisions of the Domestic Violence Act, 2005.

4. The learned counsel appearing for the petitioners would submit that the 1st petitioner is the husband, 2nd petitioner is the father in law and the 3rd petitioner is the mother-in-law of the first respondent. The first respondent initiated domestic violence proceedings against her husband and others. It is also submitted that the petitioners have no way



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connected with the allegations made by the first respondent in DVC case.

Therefore, he prays that the petitioners be permitted to raise all the grounds mentioned herein before the trial court. He also requests this Court to dispense with their personal appearance before the trial court.

5. In view of the said submission made by the learned counsel for the petitioners, the petitioners shall raise all the grounds as raised herein before the trial court at the time of trial. Further, taking into consideration the request as made by the learned counsel for the petitioners, their appearance before the trial court is dispensed with except for their appearance for the purpose of receiving the copy of the proceedings u/s 230 of BNSS, framing of charges, questioning under Section 351 of BNSS and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioners is necessary, the trial court, at its wisdom, shall direct their appearance on those days. Further, this Court directs the petitioners to represent the case through the counsel.



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6. Accordingly, this Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

01.08.2025

NCC : Yes/No

Index : Yes/No

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TO

1.The Judicial Magistrate, Valliyoor

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

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**ORDER
IN
CRP(MD) No.431 of 2025**

Date : 01/08/2025