



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 03.07.2025

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**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.(PD)(MD)No.488 of 2023**

**and**

**C.M.P.(MD).No.2358 of 2023**

1.Mohanprakash

2.Jeyaram

3.Murugeshwari

...Petitioners

Vs.

1.Vinodhini

2.Dhiya Minu (Minor  
(represented by mother and guardian)

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to quash the proceedings in D.V.C.No.2 of 2023, on the file of the Additional Mahila Court (Judicial Magistrate Level), Theni, initiated against these petitioners.

For Petitioners : Mr.M.Vishnuvarthanan

\* \* \* \* \*



## **ORDER**

This petition has been filed seeking orders to quash the proceedings in D.V.C.No.2 of 2023, on the file of the Additional Mahila Court (Judicial Magistrate Level), Theni.

2. The petitioners herein are the respondents in D.V.C.No.2 of 2023, before the trial Court. The respondents herein have filed D.V.C.No.2 of 2023, before the Additional Mahila Court (Judicial Magistrate Level), Theni, under the provisions of the Domestic Violence Act.

3. The learned counsel appearing for the petitioners would submit that the first petitioner is the husband of the first respondent. The first respondent has initiated domestic violence proceedings against him and her in-laws. It is submitted that the petitioners are in no way connected with the allegations made by the first respondent in the DVC case and though they are ready and willing to live with the first respondent it is only the 1st respondent who is not coming to live with him and has initiated the present case. Therefore, he prays that the petitioners may 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.



4. In spite of issuance of notice, there is no representation for the respondents. However, in view of the nature of the order which this Court is going to pass, which in no way affects the respondents, representation on behalf of the respondents is not necessary.

5. This Court, taking into consideration the submission made by the learned counsel for the petitioners, permits the petitioners to raise all the grounds as raised herein before the trial court at the time of trial. Taking into consideration the request 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 them to appear on those days.

6. Accordingly, this Civil Revision Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**03.07.2025**

Internet: Yes/No  
Index: Yes/No  
TSG



To

1.The Additional Mahila Court (Judicial Magistrate Level), Theni.

2.The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



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**M.DHANDAPANI, J.**

TSG

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