



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.503 of 2023

and

C.M.P.(MD).No.2424 of 2023

1.Mahalakshmi @ Jayaseeli

2.Madamuthu @ Devakirupai

3.Bhuvaneshwari @ Esthar Punitha

4.Saravanan @ Visuvasam

5.Krishnapriya @ Estherpriya

...Petitioners

Vs.

Sheeba

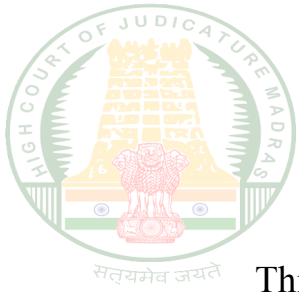
...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off D.V.C.No.2 of 2023 pending on the file of the learned Judicial Magistrate II, Kovilpatti and quash the same as against the petitioners herein under the provisions of Section 12 r/w. 19, 20, 22 of the Protection of Women from Domestic Violence Act, 2005 by invoking Article 227 of the Constitution of India.

For Petitioners : Mr.M.Pandian

For Respondent : Mr.P.Veerapandi

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ORDER

This petition has been filed seeking orders to strike off the case in D.V.C.No.2 of 2023 pending on the file of the learned Judicial Magistrate II, Kovilpatti and quash the same as against the petitioners herein under the provisions of Section 12 r/w. 19, 20, 22 of Protection of Women from Domestic Violence Act, 2005.

2.The petitioners herein are the respondents in D.V.C.No.2 of 2023, before the trial Court. The respondent herein has filed D.V.C.No.2 of 2023, before the learned Judicial Magistrate II, Kovilpatti, under the provisions of the Protection of Women from Domestic Violence Act.

3.The learned counsel appearing for the petitioners submits that the first and second respondents are in-laws of the respondent. The third and fourth respondents are sister-in-law and brother-in-law of the respondent. The fifth respondent is the wife of the fourth respondent. The respondent has initiated domestic violence proceedings against them. It is submitted that the petitioners are in no way connected with the allegations made by the respondent in the DVC 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.Learned counsel appearing for the respondent submits that if this Court is inclined to dispense with the appearance of the petitioners, this Court may impose requisite conditions to see to it that the presence of the petitioners at the times, during which the presence of the petitioners is mandatory be safeguarded so that the petitioners does not frustrate the trial proceedings by dragging on the same to the detriment of the respondent.

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, his 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. Considering the pendency of the case from 2023, the trial Court is directed to dispose of D.V.C.No.2 of 2023, as expeditiously as possible.

6.Accordingly, this Civil Revision Petition stands disposed of. There



shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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03.07.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1.The Judicial Magistrate II, Kovilpatti.

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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