

C.R.P.(MD)No.756 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD].(MD)No.756 of 2025

and

C.M.P.(MD)Nos.4003 & 4005 of 2025

1.D.Chandralekha
2.D.Saranya
3.Vinothkumar

...Petitioners/Respondents 2 to 4

Vs.

1.T.Anupriya
2.D.Arunkumar

... 1st respondent/Petitioner
...2nd Respondent/1st Respondent

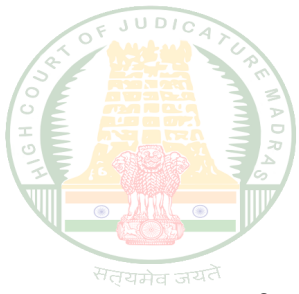
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off the proceedings in D.V.C.No.1 of 2025, on the file of the Additional Mahila Court (JM Level) Madurai by allowing this Civil Revision Petition.

For Petitioners : Mr.V.Karuna

For R1 : Mr.R.Senthil Kumar

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.1 of 2025, pending before the Additional Mahila Court (JM Level) Madurai.



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2. The petitioners herein are the respondents 2 to 4 in D.V.C.No.1 of 2025, before the trial Court. The first respondent herein has filed D.V.C.No.1 of 2025, before the Additional Mahila Court (JM Level) Madurai, under the provisions of the Domestic Violence Act and BNSS, 2023. Aggrieved against the D.V.C.No.1 of 2025 filed by the first respondent against the petitioners, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioners would submit that the first petitioner is the mother-in-law, second petitioner is the sister-in-law and the third petitioner is the husband of the sister-in-law of the first respondent. He further submitted that the first respondent has initiated domestic violence proceedings against 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 the second respondent is ready and willing to live with the first respondent it is only the first respondent who is not coming to live with him and has initiated the present case. The first respondent has made some allegations against the petitioners and the third petitioner is the husband of the second petitioner and he is no way connected with the allegations made against him. On the basis of the general allegations, the third petitioner need not be faced the



trial. Accordingly, he prays for quashing the DVC case with regard to the third petitioner. Further, he prays that the petitioners 1 & 2 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. Considering the facts and circumstances of the case and also considering the fact that the third petitioner is the husband of the second petitioner and he is no way connected with the allegations made against him, this Court is inclined to quash the D.V.C.No.1 of 2025 in respect of the third petitioner. Accordingly, D.V.C.No.1 of 2025 as against the third petitioner is quashed.

5. Learned counsel appearing for the first respondent submits that if this Court is inclined to dispense with the appearance of the petitioners 1 & 2, this Court may impose requisite conditions to see to it that the presence of the petitioners 1 & 2 at the times, during which the presence of the petitioners 1 & 2 is mandatory be safeguarded so that the petitioners 1 & 2 does not frustrate the trial proceedings by dragging on the same to the detriment of the first respondent.



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6.This Court, taking into consideration the submission made by the learned counsel for the petitioners, permits the petitioner 1 & 2 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, appearance of the petitioners 1 & 2 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 1 & 2 is necessary, the trial court, at its wisdom, shall direct them to appear on those days.

7.Accordingly, this Civil Revision Petition is allowed in respect of the third petitioner and the Civil Revision Petition is dismissed in respect of the petitioners 1 & 2. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Internet: Yes/No

Index: Yes/No

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To

- 1.The Additional Mahila Court (JM Level),
Madurai.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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