



C.R.P.(MD)No.817 of 2025

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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.817 of 2025

and

C.M.P.(MD)Nos.4383 & 4384 of 2025

1.Aathappan
2.Uma
3.Kanimozhi

...Petitioners/Respondent Nos.2 to 4

Vs.

1.Sasirekha
2.Minor.Rukanika

...Respondents/Petitioners

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records in D.V.C.No.25 of 2024, pending on the file of the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District and quash the same as illegal.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.A.Babu Jeganath



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ORDER

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This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.25 of 2024, pending before the Judicial Magistrate, Thiruvadanai.

2. The petitioners herein are the respondents 2 to 4 in D.V.C.No.25 of 2024, before the trial Court. The respondents herein have filed D.V.C.No.25 of 2024, before the Judicial Magistrate Court, Thiruvadanai, under the provisions of the Domestic Violence Act and BNSS, 2023.

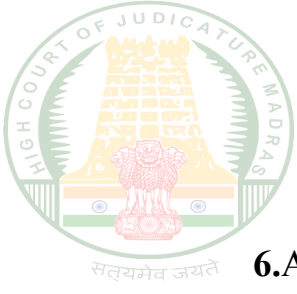
3. The learned counsel appearing for the petitioners submit that the petitioners are in-laws of the first respondent. The first respondent has initiated domestic violence proceedings against the petitioners and her husband. It is submitted that the petitioners are in no way connected with the allegations made by the first respondent in the DVC case and though her husband is ready and willing to live with the first respondent it is only the 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.



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4.Learned counsel appearing for the respondents 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 are mandatory be safeguarded so that the petitioners does not frustrate the trial proceedings by dragging on the same to the detriment of the respondents.

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 are necessary, the trial court, at its wisdom, shall direct their to appear on those days.



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6. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

14.07.2025

Internet: Yes/No

Index: Yes/No

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To

1. The Judicial Magistrate,
Thiruvadanai, Ramanathapuram District.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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