



C.R.P.(MD)No.923 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.923 of 2025

and

C.M.P.(MD)Nos.4928 & 4929 of 2025

1.T.Mohan
2.K.Kala

...Petitioners

Vs.

1.M.Priya
2.Vadivu @ Vasuki

...Respondents

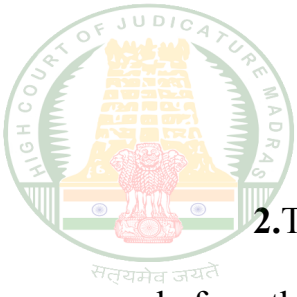
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records of the proceedings in D.V.C.No.24 of 2023 on the file of the Judicial Magistrate Court, Nilakottai and quash the same by allowing the Civil Revision Petition.

For Petitioner : Mr.M.Kannan

For R1 : Mr.J.Jeevin

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.24 of 2023, pending before the Judicial Magistrate Court, Nilakottai.



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2.The petitioners herein are the respondents in D.V.C.No.24 of 2023, before the trial Court. The first respondent herein has filed D.V.C.No.24 of 2023, before the Judicial Magistrate Court, Nilakottai, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioners submit that the first petitioner is the husband of the first respondent and the second petitioner is the sister-in-law of the first respondent. The first respondent has initiated domestic violence proceedings against the petitioners. 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 first petitioner 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.

4.Learned counsel appearing for the first 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 are mandatory be



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safeguarded so that the petitioners does not frustrate the trial proceedings by dragging on the same to the detriment of the first 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, 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.

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 Court,
Nilakottai.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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