



C.R.P.(MD)No.1003 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.1003 of 2025

and

C.M.P.(MD)Nos.5390 & 5391 of 2025

1.Rengaraj
2.Lakshmanaperumal
3.Vijayalakshmi
4.Nivethithabharathi
5.Prakash
6.Minor.P.Vidhyadhar

...Petitioners/Respondents

Vs.

N.Suganya

...Respondent/Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records in D.V.C.No.10 of 2024, on the file of the Judicial Magistrate NO.2, Sattur and struck off the same by allowing this Civil Revision Petition.

For Petitioners : Mr.P.Santhosh Kumar

For Respondent : Mrs.S.Mahalakshmi



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ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.10 of 2024, pending before the learned Judicial Magistrate No.2, Sattur.

2. The petitioners herein are the respondents in D.V.C.No.10 of 2024, before the trial Court. The respondent herein has filed D.V.C.No.10 of 2024, before the learned Judicial Magistrate No.II, Sattur, under the provisions of the Domestic Violence Act and BNSS, 2023. Aggrieved against the D.V.C.No.10 of 2024 filed by the 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 husband, second petitioner is the father-in-law, third petitioner is the mother-in-law, fourth petitioner is the sister-in-law, fifth petitioner is the husband of the fourth petitioner and the sixth petitioner is the son of the petitioners 4 & 5. He further submitted that the respondent has initiated domestic violence proceedings against her husband in-laws. It is submitted that the petitioners are in no way connected with the allegations made



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by the respondent in the DVC case and though the first petitioner is ready and willing to live with the respondent it is only the respondent who is not coming to live with him and has initiated the present case. The respondent has made some allegations against the petitioners. The petitioners 5 & 6 are the husband and son of the fourth petitioner and they are no way connected with the allegations made against them. On the basis of the general allegations, the petitioners 5 & 6 need not be faced the trial. Accordingly, he prays for quashing the DVC case with regard to the petitioners 5 & 6. Further, he prays that the petitioners 1 to 4 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 petitioners 5 & 6 are the husband and son of the fourth petitioner and they are no way connected with the allegations made against them, this Court is inclined to quash the D.V.C.No.10 of 2024 in respect of the petitioners 5 & 6. Accordingly, D.V.C.No.10 of 2024 as against the petitioners 5 & 6 is quashed.



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5. Learned counsel appearing for the respondent submits that if this Court is inclined to dispense with the appearance of the petitioners 1 to 4, this Court may impose requisite conditions to see to it that the presence of the petitioners 1 to 4 at the times, during which the presence of the petitioners 1 to 4 is mandatory be safeguarded so that the petitioners 1 to 4 does not frustrate the trial proceedings by dragging on the same to the detriment of the respondent.

6.This Court, taking into consideration the submission made by the learned counsel for the petitioners, permits the petitioner 1 to 4 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 to 4 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 to 4 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 petitioners 5 & 6 and the Civil Revision Petition is dismissed in respect of the



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petitioners 1 to 4. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

14.07.2025

Internet:Yes/No

Index:Yes/No

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To

- 1.The Judicial Magistrate No.2,
Sattur.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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