



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1553 of 2025

and

C.M.P.(MD)Nos.7944 & 7945 of 2025

1.Rajesh Kanna

2.Subramaniyan

3.Indhira

4.Ramesh

5.S.Rajalakshmi

...Petitioners

Vs.

1.R.Priyanka

2.Minor R.Harshith

...Respondents

(Minor, 2nd respondent is represented by his mother and natural guardian, R.Priyanka/1st respondent herein)

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off the complaint in DVC.No.03 of 2024 on the file of the Judicial Magistrate Court, Bodinayakkanur, Theni District.

For Petitioners : Mr.B.Sargunam

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ORDER



This petition has been filed seeking to quash the case in DVC.No.03 of 2024 on the file of the Judicial Magistrate Court, Bodinayakkanur, Theni District.

2. Since no adverse orders are going to be passed against the respondents, it is not necessary to issue notice to the respondents.

3. The petitioners herein are respondents in DVC.No.03 of 2024 before the trial Court. The first respondent herein has filed DVC.No.03 of 2024 before the Judicial Magistrate Court, Bodinayakkanur, Theni District, under the provisions of the Domestic Violence Act.

4. The learned counsel appearing for the petitioners would submit that the first petitioner is the husband of the first respondent; the second petitioner is the father-in-law; the third petitioner is the mother-in-law and the fourth petitioner is the husband of the fifth petitioner, who is the elder sister of the first petitioner. The first respondent has initiated domestic violence proceedings against her husband and her in-laws. He would further submit that the continuation of the said case would cause considerable hardship to the petitioners. It is also submitted that the petitioners are no way connected with the allegations made by the first respondent in the DVC case. Therefore, he



prays that the petitioners 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.

5. In view of the said submission made by the learned counsel for the petitioners, the petitioners shall raise all the grounds as raised herein before the trial court at the time of trial. Further, taking into consideration the request as 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 is necessary, the trial court, at its wisdom, shall direct their appearance on those days. Further, this Court directs the petitioners to represent the case through the counsel.

6. Accordingly, this Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

03.06.2025

NCC:Yes/No
Index:Yes/No
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M.DHANDAPANI, J.

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To:

- 1.The Judicial Magistrate Court,
Bodinayakkanur, Theni District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

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