



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.(MD)No.1567 of 2025

and

C.M.P.(MD)Nos.8088 & 8090 of 2025

Shoba Kumari

...Petitioner

Vs.

1.J.Lexio Lino
2.Jayden Adhap
3.Jaishree Sambandam
4.Jai Prakash
5.Kumar

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to allow the Civil Revision Petition and strike off petition in D.V.C.No.30 of 2022 on the file of Additional Mahila (Fast Track) Court (Magistrate Level), Nagercoil and quash the same sofar as the petitioner is concerned.

For Petitioner : Mr.Charles Kamalesh M.Appaji



ORDER

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This petition has been filed seeking to quash the case in D.V.C.No.30 of 2022, on the file of the learned Additional Mahila (Fast Track) Court (Magistrate Level), Nagercoil.

2.Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

3.The petitioner herein is the third respondent in D.V.C.No.30 of 2022, before the trial Court. The first respondent herein has filed D.V.C.No.30 of 2022, before the Additional Mahila (Fast Track) Court (Magistrate Level), Nagercoil, under the provisions of the Domestic Violence Act and BNSS, 2023.

4.The learned counsel appearing for the petitioner would submit that she is the mother-in-law of the first respondent. The first respondent has initiated domestic violence proceedings against her husband and her in-laws and friends . He would further submit that the petitioner is in abroad and that the continuation of the said case would cause her considerable hardship. It is also submitted that the petitioner is no way connected with the allegations made by the first respondent in the DVC case. Therefore, he prays that the petitioner be permitted to raise all the grounds mentioned herein before the trial court. He



also requests this Court to dispense with her personal appearance before the trial court.

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5. In view of the said submission made by the learned counsel for the petitioner, the petitioner 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 petitioner, her appearance before the trial court is dispensed with except for her 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 for her appearance on those days. Further, this Court directs the petitioner to represent the case through the counsel.

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

03.06.2025

Internet: Yes/No

Index: Yes/No

MR

3/5



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C.R.P.(MD)No.1567 of 2



To

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



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C.R.P.(MD)No.1567 of 2



M.DHANDAPANI, J.

MR

C.R.P.(MD)No.1567 of 2025

03.06.2025