



**C.R.P.(MD)No.2154 of 2023**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 04.07.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.(MD)No.2154 of 2023**

**and**

**C.M.P.(MD)No.10825 of 2023**

1.D.Arun

2.P.Durairaj

3.D.Thenmathu

4.D.Prabha

...Petitioners

Vs.

S.Kyula

...Respondent

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the records relating to DVC No.19 of 2022, on the file of learned Judicial Magistrate Court, Uthamapalayam and strike off the same.

For Petitioners : Mr.A.Karthick Kumar

For Respondent : No Appearance



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## **ORDER**

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This petition has been filed seeking to strike off the impugned proceedings in DVC No.19 of 2022, on the file of learned Judicial Magistrate Court, Uthamapalayam.

2.The petitioners herein are the respondents in DVC No.19 of 2022, before the trial Court. The respondent herein has filed D.V.C.No.19 of 2022, before the Judicial Magistrate Court, Uthamapalayam, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioners submits that the respondent has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the petitioners are in no way connected with the allegations made by the respondent in the DVC 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.Inspite of issuance of notice, there is no representation for the respondent. However, in view of the nature of the order which this Court is



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going to pass, which in no way affects the respondent, representation on behalf of the respondent is not necessary.

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 petitioner is necessary, the trial court, at its wisdom, shall direct them to appear on those days.

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

**04.07.2025**

Internet:Yes/No  
Index:Yes/No  
MR



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To

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



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**M.DHANDAPANI, J.**

MR

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