



C.R.P.(PD)(MD).No.1821 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1821 of 2024
and
C.M.P.(MD)Nos.10258 of 2024

1.M.Gopal

2.G.Kamalam

3.G.Priya

... Petitioners

Vs.

1.G.Monochitra

2.Minor S.Vigneshwaran

3.G.Sankar

... Respondents

PRAYER: Civil Revision Petition - filed under Article 227 of Constitution of India, to call for the records in D.V.C.No.193 of 2023 on the file of the Judicial Magistrate/Additional Mahila Court, Madurai and struck off the same insofar as the petitioners are concerned.

For Petitioner : Mr.P.R.Prithiviraj
For R1 & R2 : Mr.J.Sankara Pandian



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ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.193 of 2023 on the file of Judicial Magistrate/Additional Mahila Court, Madurai.

2.The petitioners herein are the respondents 2 to 4 in D.V.C.No.193 of 2023, before the trial Court. The respondent herein has filed D.V.C.No.193 of 2023, before the learned Judicial Magistrate/Additional Mahila Court, Madurai, under the provisions of the Domestic Violence Act.

3.The learned counsel appearing for the petitioners submits that the first respondent has initiated domestic violence proceedings against her husband and her in-laws. It is submitted that the first petitioner is the father-in-law, second petitioner is the mother-in-law and the third petitioner is the sister-in-law of the first respondent herein and they are in no way connected with the allegations made by the first 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.



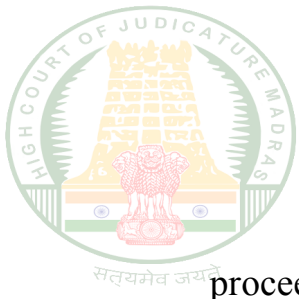
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4.Learned counsel appearing for the respondents 1 & 2 submits that if this Court is inclined to dispense with the appearance of the petitioners, this Court may impose requisite conditions to see to it that the presence of the petitioners at the times, during which the presence of the petitioners is mandatory be safeguarded so that the petitioners do not frustrate the trial proceedings by dragging on the same to the detriment of the respondents 1 & 2.

5.It is represented that the second petitioner died during the pendency of the Civil Revision Petition. Hence, this Civil Revision Petition is dismissed as abated as against the second petitioner.

6. This Court, taking into consideration the submission made by the learned counsel for the petitioners, permits the petitioners 1 and 3 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 and 3 before the trial court is dispensed with except for their appearance for the purpose of receiving the copy of the



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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 them 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 petition is closed.

08.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Judicial Magistrate No.II, Sivakasi, Virudhunagar.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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