



C.R.P.(MD)No.1824 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

WEB COPY

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1824 of 2025

and

C.M.P.(MD)Nos.10024 & 10025 of 2025

1.Jainab Kani

2.S.Mohammed Yasin

...Petitioner/5th and 6th
Respondents

Vs.

1.S.Risha Simhana

2.Minor.Mohammed Junaid

Rep. by his Mother

S/o.Muhaiyadeen Naseer Ahamed

...Respondents/1st and 2nd
Petitioner

3.M.Muhaiyadeen Naseer Ahamed

4.S.Muhamed Yusuf

5.M.Paritha Begam

6.M.Nasreen

... Respondents/
1st to 4th Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records and strike off the proceedings/petition in D.V.C.No.49 of 2025 on the file of the learned Judicial Magistrate, Additional Mahila Court, Dindigul.



WEB COPY



C.R.P.(MD)No.1824 of 2025

For Petitioner : Mr.K.Gokul

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.49 of 2025, on the file of the learned Judicial Magistrate, Additional Mahila Court, Dindigul.

2.The petitioners herein are the respondents 5 & 6 in D.V.C.No.49 of 2025, before the trial Court. The respondents 1 & 2 herein have filed D.V.C.No.49 of 2022, before the Judicial Magistrate, Additional Mahila Court, Dindigul, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioners submit that first petitioner is the maternal aunt of the first respondent and second petitioner is the younger uncle of the first respondent. The first 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 first respondent in the DVC case and though the husband is ready and willing to live with the first respondent it is only the 1st respondent who is not coming to live with him and has initiated the present case. Therefore, he prays



C.R.P.(MD)No.1824 of 2025

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. Since in view of the nature of the order which this Court is going to pass, which in no way affects the respondents, notice to the respondents is dispensed with.

5. This Court, taking into consideration the submission made by the learned counsel for the petitioners, permit 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, the petitioners appearance before the trial court is dispensed with except for his 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 are necessary, the trial court, at its wisdom, shall direct them to appear on those days.



C.R.P.(MD)No.1824 of 2025

WEB COPY

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

04.07.2025

Internet: Yes/No

Index: Yes/No

am



C.R.P.(MD)No.1824 of 2025

WEB COPY

To

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



WEB COPY



C.R.P.(MD)No.1824 of 2025

M.DHANDAPANI, J.

am

C.R.P.(MD)No.1824 of 2025

04.07.2025