

C.R.P.(MD)No.1945 of 2023

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.1945 of 2023

and

C.M.P.(MD)No.9727 of 2023

1. Selvi
2. Petchi
3. Shrimathi
4. Selvakumar

...Petitioners

Vs.

M.Haripoorna

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to quash all further proceedings of Domestic Violence Proceedings in D.V.C.No.37 of 2022 on the file of the learned Judicial Magistrate/Additional Mahila Court, Madurai against the petitioners and set aside the same as abuse of process of law by allowing this Civil Revision Petition.

For Petitioners : Mr.Ananth C.Rajesh
For Respondent : Mr.C.Godwin

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.37 of 2022 on the file of the learned Judicial



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Magistrate/Additional Mahila Court, Madurai.

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2.The petitioners herein are the respondents 2 to 5 in D.V.C.No.37 of 2022, before the trial Court. The respondent herein has filed D.V.C.No.37 of 2022, before the 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 mother-in-law, second petitioner is the father-in-law, third petitioner is the sister-in-law and the fourth petitioner is the husband of the sister-in-law 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.

4.Learned counsel appearing for the respondent 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



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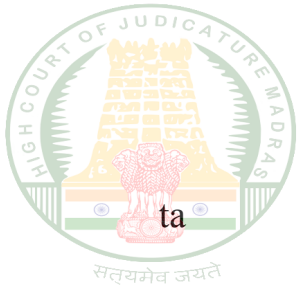
so that the petitioners do not frustrate the trial proceedings by dragging on the same to the detriment of the respondent.

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 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.

04.07.2025

Internet:Yes/No
Index:Yes/No



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To

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



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M.DHANDAPANI, J.

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