

C.R.P.(MD)No.2129 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2129 of 2025

and

C.M.P.(MD)Nos.12423 and 12424 of 2025

1.Kodivairan
2.Sivamani
3.Sivapriya
4.Suvitha
5.Palanikumar

...Petitioners

Vs.

1.Vijaya
2.K.Sivakumar

...Respondents

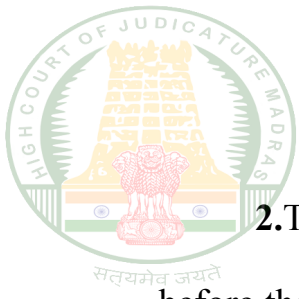
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records and set aside the proceedings in D.V.C.No.16 of 2024 on the file of the Judicial Magistrate, Tirumangalam.

For Petitioner : Mr.A.Sivasubramanian

For Respondents : No appearance

ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.16 of 2024, on the file of the learned Judicial Magistrate, Tirumangalam.

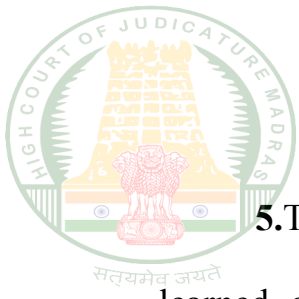


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2.The petitioner herein is the first respondent in D.V.C.No.16 of 2024, before the trial Court. The respondents herein have filed D.V.C.No.16 of 2024, before the learned Judicial Magistrate, Tirumangalam, under the provisions of the Domestic Violence Act and BNSS, 2023.

3.The learned counsel appearing for the petitioners submits that the first respondent has initiated domestic violence proceedings against her husband and in-laws. It is submitted that the first petitioner is the father-in-law, the second petitioner is the mother-in-law, third and fourth petitioners are the sisters-in-law and the fifth petitioner is the brother-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.

4.In view of the nature of the order which this Court is going to pass, which in no way affects the respondents, representation on behalf of the respondents is not necessary.



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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 disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

31.07.2025

Internet:Yes/No

Index:Yes/No

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To

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



WEB COPY



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M.DHANDAPANI, J.

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