



Crl.O.P.(MD)No.13445 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.13445 of 2025

and

Crl.M.P(MD) No.10685 of 2025

1.N.Srinivasan

2.M.V.Natarajan

3.N.Malliga

4.M.Alamelu

5.S.Kayathri

...Petitioners

-Vs-

Logeswari @ Priya

...Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS 2023, to call for the records and set aside the order passed by the Family Court, Karur, Karur District, dated 15.04.2025 made in C.M.P.No.60 of 2025 in D.V.C.No.1 of 2024 and thus allow the above criminal original petition.

For Petitioners : Mr.B.Jameelarsu



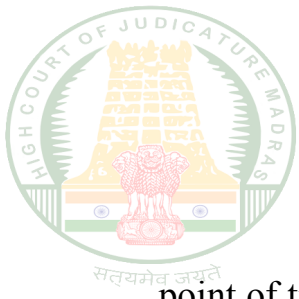
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ORDER

This criminal original petition is filed to set aside the order dated 15.04.2025 passed in C.M.P(MD) No.60 of 2025 in D.V.C.No.1 of 2024 on the file of the Family Court, Karur.

2.The petitioners are the respondents in DVC No.1 of 2024, which is pending on the file of the Family Court, Karur. The respondent has filed the above proceedings against the petitioners for certain relief under the Domestic Violence Act. The respondent has examined certain witnesses in her favour and one of the witness is PW.6 -Sub Inspector of Police, All Women Police Station, Erode, who conducted an enquiry on her complaint. PW.6 was examined in Chief on 06.02.2025. On that date, the petitioners have failed to cross-examine PW.6, who was available before the trial Court. Thereafter, the petitioners have filed an application in C.M.P(MD) No.21 of 2025 to recall PW.6 for the purpose of cross examination and the same was allowed by the trial Court on condition that no further opportunity would be provided for cross examination. PW6 was also present for enquiry on 17.03.2025 and was cross examined by the petitioners and thereafter, the case was posted for arguments. However, at that



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point of time, the petitioners have filed the above application in C.M.P No.60 of 2025, seeking to recall PW.6 for the purpose of cross examination on the ground that certain questions have been omitted to be raised on the earlier occasion. The trial Court, considering the manner in which the DVC proceedings, filed in the year 2024, has been dragged by the petitioners, dismissed the application by an order dated 15.04.2025. The said order is challenged by the petitioners in the present petition.

3.The learned counsel for the petitioners submit that the earlier counsel failed to pose certain questions to PW6 at the time of cross examination and therefore, an opportunity must be provided to the petitioners to cross examine PW.6.

4.Considering that the manner in which the order dated 15.04.2025 has been challenged in the month of August, 2025 and also considering the fact that the petitioners have already cross-examined PW6 on 17.03.2025 and that the present petition has been filed only to delay the proceedings, this Court is not inclined to interfere with the order of the trial Court. Accordingly, this Criminal Original Petition is dismissed with a direction to the learned Judge, Family



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Court, Karur, to conclude the proceedings in D.V.C.No.1 of 2024 without any further delay. Consequently, connected miscellaneous petition is closed.

12.08.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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To

The Judge,
Family Court,
Karur, Karur District,



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B.PUGALENDHI, J.

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