

C.R.P.(MD)No.2285 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

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CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2285 of 2023

and

C.M.P.(MD)Nos.11785 of 2023

1.S.Poongothai

2.Karthik

3.G.Rohini

4.Gunasekaran

...Petitioners

Vs.

1.K.Radhidevi

2.Theerthagiri Karthikeyan

3.Leelavathi

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the petition in D.V.C.No.2 of 2023, on the file of the learned District Munsif Cum Judicial Magistrate Court, Aravakuruchi.

For Petitioners : Mr.S.Gokul Raj

For Respondents : Mr.P.Samuel Gunasingh



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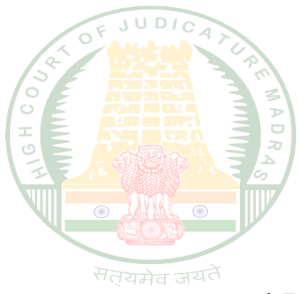
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ORDER

This petition has been filed seeking to strike off the impugned proceedings in D.V.C.No.2 of 2023, on the file of the learned District Munsif Cum Judicial Magistrate Court, Aravakuruchi.

2.The petitioners herein are the respondents in D.V.C.No.2 of 2023, before the trial Court. The first respondent herein has filed D.V.C.No.2 of 2023, before the District Munsif Cum Judicial Magistrate Court, Aravakuruchi, 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 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. 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.

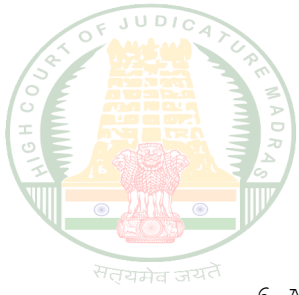


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4.Learned counsel appearing for the respondents submits that if this Court is inclined to dispense with the appearances of the petitioners, this Court may impose requisite conditions to see to it that the presence of the petitioners at the times, during 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.

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.



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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

MR



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To

- 1.The District Munsif Cum
Judicial Magistrate Court,
Aravakuruchi.

- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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