



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.490 of 2023

and

C.M.P.(MD).No.2368 of 2023

1.K.G.Singaravelu

2.K.G.S.Saraswathi

...Petitioners

Vs.

1.Kamala Preetha

2.S.Santhosh @ S.Ararith Kumar

3.K.G.S.Nirmal Kumar

4.N.Jevi

5.D.Ravishankar

6.R.Revathi

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to strike off the petition in D.V.C.No.6 of 2022 on the file of the learned Judicial Magistrate, Thiruvaiyaru and quash the proceedings insofar as the petitioners are concerned.



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For Petitioners : Mr.T.Surendran

For R-1 : Mr.G.Thiruvartselvam

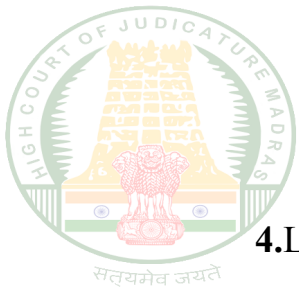
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ORDER

This petition has been filed seeking orders to strike off the petition in D.V.C.No.6 of 2022 on the file of the learned Judicial Magistrate, Thiruvaiyaru and quash the proceedings insofar as the petitioners are concerned.

2.The first respondent herein filed a domestic violence case in D.V.C.No. 6 of 2022, before the trial Court under the provisions of the Protection of Women from Domestic Violence Act against the petitioners and respondent Nos.2 to 6.

3.The learned counsel appearing for the petitioners submits that the first and second respondents are in-laws of the first respondent. The first respondent has initiated domestic violence proceedings against them. It is submitted that the petitioners are in no way connected with the allegations made by the 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 first 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 so that the petitioners does 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, his 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. Considering the pendency of the case from 2022, the trial Court is directed to dispose of D.V.C.No.6 of 2022, as expeditiously as possible.



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

03.07.2025

Internet: Yes/No
Index: Yes/No
TSG

To

1. The Judicial Magistrate, Thiruvaiyaru.

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



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M.DHANDAPANI, J.

TSG

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