



CRP(MD). No.3198 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.3198 of 2024
and CMP(MD) Nos.18362 and 18363 of 2024**

1.Poorani
2.Ponsingh

... Petitioners

Vs

1.Rajila
2.A.Arunkumar
3.Ashok Rajan

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India to strike off the petition in DVC NO.13/2024 on the file of the Judicial Magistrate, Chernamahadevi.

For Petitioner : Mr.G.Kasinathadurai
For Respondents : Mr.V.Muthukamatchi

ORDER

This Civil Revision Petition has been filed to strike off the proceedings in DVC NO.13/2024 on the file of the Judicial Magistrate, Chernamahadevi.



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2. The first respondent initiated DVC proceedings in DVC No. 13/2024 under the provisions of the Domestic Violence Act, 2005. The first respondent is the wife of the brother of the first petitioner. Since there was a matrimonial discard, the first respondent initiated DVC proceedings and to strike off the same, the petitioners are before this Court.

3. The learned counsel for the petitioners would submit that the petitioners are the in-laws of the first respondent. The 1st petitioner is the sister-in-law of the first respondent and the 2nd petitioner is the husband of the first petitioner. Though there are allegations made against the first petitioner, no allegations are made against the 2nd petitioner. He has been roped in the case on the fact that he is the husband of the sister-in-law of the first respondent and prays for striking off the DVC proceedings. As far as the first petitioner is concerned, the learned counsel requests this Court to dispense with their personal appearance before the trial court.



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4. The learned counsel for the first respondent would submit that with regard to quashing the proceedings is concerned, since there are allegations against the first petitioner and there are no allegations with regard to the 2nd petitioner.

5. I have considered the rival submissions and perused the materials available on record.

6. In view of the submission made, since there are no allegations made against the 2nd petitioner, the proceedings in DVC No.13/2024 on the file of the Judicial Magistrate, Cheranmahadevi, with respect to 2nd petitioner alone is ordered to be struck off.

7. In view of the said submission made by the learned counsel for the first petitioner, the first petitioner shall raise all the grounds as raised herein before the trial court at the time of trial. Further, taking into consideration the request as made by the learned counsel for the petitioners, the appearance of the 1st petitioner before the trial court is dispensed with except for her appearance for the purpose of receiving the



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copy of the proceedings u/s 207 of Cr.P.C./230 BNSS framing of charges, questioning under Section 313 of Cr.P.C./351 BNSS and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the first petitioner is necessary, the trial court, at its wisdom, shall direct her appearance on those days. Further, this Court directs the first petitioner to represent the case through the counsel. The trial Court is directed to dispose of the DVC No.13/2024 as expeditiously as possible.

8. Accordingly, this Civil Revision Petition stands partly allowed.

No costs. Consequently, connected miscellaneous petitions are closed.

09.07.2025

NCC : Yes/No

Index : Yes/No

RR

TO

1.The Judicial Magistrate, Chernamahadevi.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) No.3198 of 2024**

Date : 09/07/2025