



WEB COPY

CRL RC No. 803 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

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THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC No. 803 of 2026

AND

CRL MP NO. 6208 OF 2026

Abdul Aziz(deceased)

1.Mohammed Nazeer

2.Fathima

3.P.A.Beena

4.N.Shahul Hameed

5.P.A.Azad

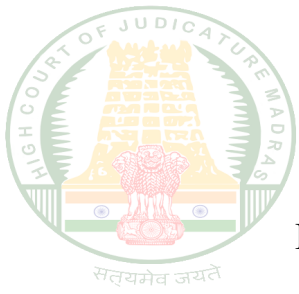
..Petitioner(s)

Vs

M.Raseena Parveen

..Respondent(s)

PRAYER: This revision case is filed seeking to set aside the order dated 07.02.2026 in CA.No.89 of 2024 passed by the Principal District and Sessions Judge, Coimbatore, while allowing the appeal preferred by the petitioners against the ex-parte order dated 04.02.2022 vide DVA No.514 of 2019 on the file of the Special Judicial Magistrate for the trial of Domestic Violence Act cases, Coimbatore, imposed a condition to deposit a sum of Rs.3,00,000/- before the trial Court within 15 days of the receipt of the order as an abuse of process of law.



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For Petitioner(s):

Mr.T.R.Sivaram

For Respondent(s):

Mr. A. Parthasarathy for
M/s. A.Parthasarathy and Associates**ORDER**

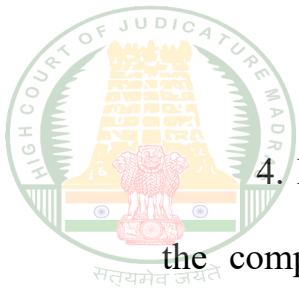
This revision case is filed seeking to set aside the order dated 07.02.2026 in CA.No.89 of 2024 passed by the Principal District and Sessions Judge, Coimbatore, while allowing the appeal preferred by the petitioners against the ex-parte order dated 04.02.2022 vide DVA No.514 of 2019 on the file of the Special Judicial Magistrate for the trial of Domestic Violence Act Cases, Coimbatore, imposed a condition to deposit a sum of Rs.3,00,000/- before the trial Court within 15 days of the receipt of the order as an abuse of process of law.

2. The brief facts of the case are that the respondent/wife has filed a domestic violence case in DVA No.514 of 2019 by invoking Section 12 of the Protection of Women from Domestic Violence Act, 2005 against the 1st petitioner/husband and his family members. As the petitioners remained *ex parte*, the trial Court passed *ex parte* order, dated 04.02.2022, directing the 1st petitioner to pay a sum of Rs.5,00,000/- apart from other directions in respect



of payment of dowry, jewels and also interim maintenance. Aggrieved by the said order, the petitioners preferred an appeal in C.A.No.89 of 2024 before the Principal District and Sessions Judge, Coimbatore, which came to be disposed of vide judgment dated 07.02.2026, wherein, while setting aside the order of the trial Court, the matter was remitted back to the trial Court for passing fresh order after affording opportunity to both the parties and also directed the 1st petitioner to pay a sum of Rs.3,00,000/- out of total compensation of Rs.5,00,000/- awarded by the trial Court, which a period of period of 15 days from the date of receipt of a copy of the judgment. Challenging the judgment of the lower appellate Court, particularly, as regards direction of the trial Court for payment of Rs.3,00,000/-, the present Criminal Revision Case has been filed before this Court.

3.After arguing some time, the learned counsel for the petitioner submitted that he would not press the Revision and abide by the direction given by the lower appellate Court in para 13(ii) as regards the payment of the compensation, however, he would urge this Court to reduce the quantum of the amount. On a perusal of the direction given by the lower appellate Court in para 13(ii), it appears that the lower appellate Court has already reduced the quantum of the compensation from Rs.5,00,000/- to Rs.3,00,000/- and rightly directed the petitioners to pay the same and remanded the matter to the trial Court for passing the orders afresh on merits.



4. However, taking note of the fact that the time for making payment of the compensation had already expired, learned counsel for the petitioners prayed to comply with the direction issued by the lower appellate Court in para 13(ii) vide order dated 07.02.2026 regarding the payment of the compensation of Rs.3,00,000/- within a period of 15 days from the date of receipt of copy of this order.

5. The learned counsel for the respondent submitted that he has no objection to the proposal made by the learned counsel for the petitioners. He also assured this Court that his client shall cooperate with the disposal of the case. He further submitted that in case, the petitioners pay the amount as directed by this Court, the respondent may be permitted to withdraw the same.

6. In view of the above, the petitioners are directed to deposit the compensation of Rs.3,00,000/- in compliance to the direction issued by the lower appellate Court in para 13(ii) vide order dated 07.02.2026 to the credit of D.V.A.No.514 of 2019 on the file of the learned Special Judicial Magistrate for the trial of Domestic Violence Act Cases, Coimbatore, within a period of 15 days from the date of receipt of a copy of this order, failing which, the benefit granted under this Court would automatically cease to operate.



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7. Considering the request made by the learned counsel for the respondent, it is made clear that if the compensation amount is deposited within the time stipulated by this Court, the respondent is at liberty to move an application before the learned trial Court for release of the aforesaid amount in her favour and if any such application is filed, the trial Court is directed to release the amount within a period of two weeks thereafter, in favour of the respondent/wife.

8. With the above observations, this Criminal Revision Case is disposed of. No costs. Consequently connected miscellaneous petition is closed.

10-06-2026

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To

1. The Special Judicial Magistrate for the trial of Domestic Violence Act cases, Coimbatore.

2. The Principal District and Sessions Judge, Coimbatore,



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SHAMIM AHMED J.

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