



Crl.O.P.(MD)No.22008 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.01.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.22008 of 2025
& Crl.M.P.(MD)No.18924 of 2025

1.SSasikalan
2.S.Rajeswari
3.Jeyanthini
4.Anthony Rayappan
5.Richardson

... Petitioners

Vs.

X.Joesmirsha

... Respondent

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the records in DVC No.8 of 2025 on the file of the Judicial Magistrate Court, Rameswaram and quash the same.

For Petitioners : Mr.S.Suresh Manickam

For Respondent : Mr.V.Sathya Chidambaram

ORDER

This criminal original petition has been filed seeking to quash the proceedings in DVC No.8 of 2025 on the file of the learned Judicial Magistrate, Rameswaram.



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2. The first petitioner is the husband of the respondent and all the other petitioners are the in-laws of the respondent. The case of the respondent wife is that the marriage between the first petitioner and the respondent was an arranged marriage, which was held on 13.01.2024 in the presence of relatives and elders of both the families. It is alleged in the petition filed by the respondent that she was subjected to acute domestic violence on several dates.

3. On 16.05.2024, the respondent wife lodged a complaint against the petitioner and others at the jurisdictional police station in Ramanathapuram. The first petitioner had informed the police that he was not willing to live with the respondent and had returned the household appliances and other personal articles to her by 03.06.2024. However, 22 sovereigns of gold jewelry and cash amounting to Rs.50,000/- have not been returned. Consequently, the respondent has sought relief under Sections 18 and 22 of the Protection of Women from Domestic Violence Act, 2005, ('hereinafter referred to as 'Act' for brevity) seeking protection and compensation.

4. The learned counsel appearing for the petitioners submitted that all the allegations made by the respondent wife in the petition filed under Section 12 of the Act before the trial Court are false, concocted, and exaggerated, arising



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merely from normal adjustment problems between the parties. It was further submitted that the respondent had approached the jurisdictional police station and lodged false complaints against the petitioners, following which criminal proceedings have also been initiated against them, resulting in undue harassment by the police authorities. In addition, the respondent wife has filed the present domestic violence case, thereby subjecting the petitioners to further acute harassment. Unnecessarily, the first petitioner's siblings were roped in as the respondents in connection with the alleged matrimonial discord and other allegations. The petitioners, therefore, sought the indulgence of this Court to intervene and provide appropriate relief.

5. Per contra, the learned counsel appearing for the respondent submitted that the respondent is a victim of domestic violence and that the first and second petitioners are responsible for the gold jewelry and cash belonging to the respondent. He further contended that the petitioners should make themselves available before the trial Court to face the proceedings in the interest of justice. On the above grounds, he sought dismissal of the present petition.



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6. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and carefully produced the materials available on record.

7. A careful perusal of the petition filed by the respondent under Section 12 of Act would reveal that certain matrimonial issues have crept-in between the first and second petitioners and the respondent. The allegations of domestic abuse as committed by all the petitioners together as against the respondent is vague and no specific instances of domestic violence could be attributed to the 3rd to 5th petitioners which can be clearly ascertained from the pleadings in the domestic violence petition filed by the respondent.

8. In view of the above, the proceedings in DVC No.8 of 2025 is quashed as far as the 3rd, 4th and 5th petitioners are concerned. The learned Judicial Magistrate, Rameswaram is directed to proceed with the pending DVC No.8 of 2025 and conclude the same, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. The personal appearance of the second petitioner before the trial Court is dispensed with, unless the trial Court requires their presence specifically.



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9. Accordingly, this criminal original petition stands partly allowed.

Consequently, connected miscellaneous petition is closed.

06.01.2026

NCC : Yes / No
Index : Yes / No
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TO:-

- 1.The Judicial Magistrate Court, Rameswaram.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
Crl.O.P.(MD)No.22008 of 2025

Dated
06.01.2026