

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE I,
ALATHUR.**

Present:- Sri. Padmakumar. G.,
Judicial First Class Magistrate.

Friday, this the 29th day of May, 2026.
8th day of Jyaishtha, 1948 (S.E)

MC 23/2026.

Aryamol. S, Aged: 21 years,	} Petitioner
D/o. Santhosh, Kalla veedu, Puthan	}
kulambu, Elavampadam P.O,	}
Kizhakkanchery, Palakkad.	} (BY Adv. Sri. Shanavas. S)

vs.

Prabhath Kumar. S, Aged: 27 years,	} Respondent
S/o. Senthil Kumar, Karupparayan kovil	}
street, Vellallur P.O, Coimbtore, Tamilnadu. }	}

Provision of Law	} Punishable u/s. 12 of the Protection of Women from Domestic Violence Act, 2005.
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Order	} Petition is allowed.
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Date of filing	} 26.03.2026.
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Date of Order	} 29.05.2026.
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The petition having been filed and heard today the court passed the following:

ORDER

This petition has been filed by the petitioner under Sec.12 of the Protection from Domestic Violence Act (hereafter P.W.D.V Act) seeking orders of protection,

maintenance and return of 5 sovereigns of gold ornaments.

2. The averments, in the complaint, in brief, are as follows:- The respondent is the husband of the petitioner, who is the aggrieved person. The marriage between the petitioner and the respondent was solemnized on 19.05.2025 at Shiva Temple, Thrrippannoor, Kizhakkanchery, Alathur Taluk, Palakkad District. Since then, the petitioner has been residing with the respondent at the matrimonial house as husband and wife. At the time of marriage, jewellery worth 5 sovereigns were gifted to the respondent by the parents of the petitioner. The jewellery was misappropriated by the respondent thereby selling and squandering the money.

3. When the petitioner was studying in Coimbatore for nursing course, she met the respondent and fell in love with him and by the intervention of the families of both, the marriage was solemnized. After the marriage, they lived peacefully at a rented house in Coimbatore. Whenever the parents came to the rented house at Coimbatore, they were harassing the petitioner stating that her son would have got better alliance but for this marriage. The respondent is an ambulance driver. He came home at night in an inebriated state and used to assault her physically and harass her mentally. Most of the time he did not go for work and having liquor at home and also harassing her by connecting her with other men. Now it has become very difficult to live with the respondent. Moreover, the respondent has brought another girl and her mother to the rented house in Coimbatore. When it was questioned, he told her that he

was going to marry that girl. He also found fault with the petitioner, saying that she is not that beautiful and she does not know how to do any job or work. After consuming liquor, he came to the house and prodded her head. Once, he pushed her head against the sewing machine and she was injured on 20.08.2025. She was taken to her parental home by her parents. Thereafter, the respondent has not come to take back her or she has not been maintained by him till date. Now the petitioner is depending on her parents and struggling to maintain herself. It is the responsibility of the respondent to maintain her. The respondent is avoiding her and evading his responsibility. He gets more than ₹45,000/- (Forty five thousand rupees) as salary as ambulance driver. The petitioner does not have any job and any income. She is entitled to maintenance and protection. She also wants her jewellery back. Hence this complaint.

4. The respondent was served with notice, but he remained absent. Accordingly, the matter was proceeded with ex parte. The petitioner filed proof affidavit in tune with the complaint, and no exhibits were marked.

5. Heard the learned counsel for the petitioner.

6. Now the points that arise for consideration are as follows:-

1. Has the respondent subjected the petitioner to domestic violence as alleged in the petition?
2. Is the petitioner entitled to the protection order as prayed for?
3. Is the petitioner entitled to maintenance as prayed for?

4. Is the petitioner entitled to return 5 sovereigns of gold ornaments as prayed for?

5. What is the order to be passed?

7. **Point Nos.1 to 5:-** In the proof affidavit, the petitioner has deposed in tune with the averments in the petition. It is stated that the respondent has physically and mentally harassed the petitioner. It is also stated that the respondent is not maintaining the petitioner. Now, life has become so miserable and unbearable that the petitioner has been languishing. Since the averments in the complaint stand unchallenged and unrebutted, the complaint is liable to be allowed. It is found that the petitioner has suffered untold misery and legal injury by the act of domestic violence committed by the respondent.

8. From the unchallenged testimony of the petitioner, it is clearly established that the respondent has committed domestic violence against the petitioner. The respondent is to be restrained from causing violence to the petitioner, dependents, and the relatives who give assistance to the petitioner from domestic violence. She also needs to be maintained. The respondent is ordered to pay monthly maintenance of ₹.10,000/- (Ten thousand rupees) to the petitioner as the respondent is able to maintain the petitioner. The petitioner is also entitled to a protection order under Section 18 of the P.W.D.V Act, return of 5 sovereigns of gold ornaments and also entitled to a maintenance order under Section 20 of the P.W.D.V Act. Therefore, the

petition is allowed.

In the result, petition is allowed as follows:-

1. The respondent is hereby directed not to physically or mentally harass the petitioner, under Section 18 (a) of the P.W.D.V Act, and he is restrained from causing mental and physical harassment to the dependents who give personal assistance to the petitioner, under Section 18 (f) of the P.W.D.V Act.
2. The respondent shall pay ₹.10,000/- (Rupees ten thousand only) to the petitioner as monthly maintenance before the 10th day of every calendar month, under Section 20 (d) of the P.W.D.V Act.
3. The respondent is directed to return 5 sovereigns of gold ornaments to the petitioner.
4. Issue a copy of this order to the petitioner.

SHO, Mangalam Dam Police Station, is directed to see that the protection order passed by this court shall be strictly adhered to by the respondent.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and Pronounced in Open Court on this the 29th day of May, 2026.

sd/-
Judicial First Class Magistrate - I,
Alathur.

APPENDIX**Witnesses examined for Petitioner:-**

Rank	Name of witness	Date of Examination	Category of Witness
PW 1	Aryamol. S, D/o. Santhosh, Elavampadam, Palakkad.	30.04.2026	Complainant

Exhibits marked for Petitioner:-

Sl. No.	Exhibit Number	Description of the Exhibit	Proved by/ Attested by
		Nil	

Witnesses examined for Respondent:-

Rank	Name of witness	Date of Examination	Category of Witness
	Nil		

Exhibits marked for Respondent:-

Sl. No.	Exhibit Number	Description of the Exhibit	Proved by/ Attested by
		Nil	

sd/-

Judicial First Class Magistrate - I,
Alathur.

//True copy//

Judicial First Class Magistrate - I,
Alathur.