



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eleventh day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.5314 of 2018
IN
CRL RC(MD) No.377 of 2018

1 RAMASAMY
2 RAMALINGAM
3 VENKATESAN
4 SINGAMUTHU
5 JEEVANANDAM
6 SASOSANAM
7 PANDIARAJAN

... PETITIONERS/PETITIONERS/
ACCUSED NO.3,4,5,7,8,10 &12

Vs

THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SIVAGANGAI,
CRIME NO.07/2009

... RESPONDENT/RESPONDENT/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to dispense with the personal appearance of the petitioners in Spl.C.C.No.05/2016 on the file of the Special Court for trial of cases under Prevention of Corruption Act, Sivagangai.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.SO.PARAMASIVAM, Advocate for the petitioner and of MR.M.CHANDRASEKARAN, Additional Public Prosecutor for Vigilance and Anti Corruption cases for the Respondent the court made the following order:-

Heard Mr.SO.Paramasivam, learned counsel for the petitioners and Mr.M.Chandrasekaran, learned Additional Public Prosecutor appearing for the respondent.

2. This petition has been filed by the petitioners, aggrieved by the order of dismissal dated 11.05.2018, made in Cr.M.P(MD)No.122 of 2017 in Spl.C.C.No.5 of 2016 passed by the learned Special Judge, for Special Court (Prevention of Corruption Act) Sivagangai.

3. On the side of the petitioners it is stated that the petitioners are senior citizens and they suffer from age related



ailments and that they find it very difficult to appear before the trial court in person for every hearing and that if the petitioners are attending the Court, there is a possibility of the case being taken up for trial and that they have filed a Crl.M.P(MD)No.5314 of 2018, seeking to dispense with their personal appearance in Spl.C.C.No.5 of 2016, before the trial court.

4.On the side of the respondent it is stated that the petitioners cannot evade trial by filing this petition. Therefore, the respondent prays for dismissal for the miscellaneous petition.

5.Records perused. It is pertinent to note that if the petitioners are unable to attend the trial on any of the hearing dates, they can file a petition under Section 317 Cr.P.C. They can also file a petition under Section 205 Cr.P.C. Without availing any such remedies, the petitioners have filed this petition before this Court.

6.In view of the above, this Court does not find any merit in this petition. Accordingly, this Criminal Miscellaneous Petition is dismissed.

7.Post this Criminal Revision on 19.07.2018.

sd/-
11/07/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDGE, SPECIAL COURT
FOR TRIAL OF CASES UNDER PREVENTION
OF CORRUPTION ACT, SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION, SIVAGANGAI,
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
FOR VIGILANCE AND ANTI CORRUPTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/VR/GSR/17.7.18-2P-4C

ORDER
IN
CRL MP(MD) No.5314 of 2018
IN
CRL RC(MD) No.377 of 2018
Date :11/07/2018