



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P. [MD].No.14951 of 2018

Santhanam Ramkumar

: Petitioner

Vs.

Deepa @ Lakshmi Natarajan

: Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. To dispense with the personal appearance of the petitioner/respondent in M.C.No.5 of 2018 pending on the file of the learned Judicial Magistrate No-III at Thanjavur and he may be permitted to appear and be represented by his counsel Ms.K.Sumathi, G.Mamallan and N.Kalidoss advocates at No.31/20, P.S.Sivasami Salai, Mylapore, Chennai, on Special Vakalat under Section 205 of Cr.P.C.

For Petitioner

: Mr.C.Muthusaravanan

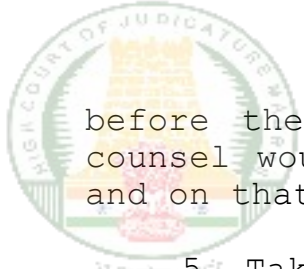
ORDER

The Criminal Original Petition has been filed to dispense with the personal appearance of the petitioner, who is presently living in Singapore.

2. The respondent has filed an application under Section 125 of Cr.P.C against the petitioner and the same is pending in M.C.No.5 of 2018, on the file of the learned Judicial Magistrate No.III, Thanjavur. The petitioner received a notice through E-mail informing him about the said proceedings. This E-mail was received by the petitioner at Singapore.

3. The learned counsel for the petitioner would submit that the petitioner is not in a position to immediately come to India and attend the proceedings. He would further submit that an appropriate petition will be filed before the Court below to dispense with the personal appearance of the petitioner and for a permission to represent the petitioner through a counsel. However, the Court below had insisted that the petitioner should be personally present at the time, when an application under Section 205 of Cr.P.C is presented.

4. This Court directed the learned counsel for the petitioner to take instructions from the petitioner as to when he will be able to appear before the Court below. The learned counsel on instructions, would submit that the petitioner will appear in person



before the Court below on 05.10.2018 without fail. The learned counsel would further submit that the case is posted on 30.08.2018 and on that day, the petitioner will be represented by his counsel.

5. Taking into consideration the facts and circumstances of the case, the Court below is directed to dispense with the personal appearance of the petitioner on 30.08.2018 and direct the petitioner to be represented by a counsel. Thereafter, the petitioner is directed to be present before the Court below on 05.10.2018 without fail and file an appropriate application under Section 205 of Cr.P.C and the same will be considered by the Court below in accordance with law.

6. The Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1.The Judicial Magistrate No-III,
Thanjavur.

2.The Chief Judicial Magistrate,
Thajavur at Kumakonam.

+1CC to Mr.C.Muthusaravanan Advocate in Sr.No.80382.

SJI
DS/SKN/SAR-2 :30.08.2018: 2P/4C

Cr1.O.P.[MD].No.14951 of 2018
27.08.2018