



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

Tuesday, the Twentieth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.15398 of 2022
in
CRL OP(MD)No.21853 of 2022

1 SUBRAMANI

2 HARISH

... PETITIONERS/ACCUSED NOS. 1 & 2

Vs

1 THE STATE REP BY,
THE SUB INSPECTOR OF POLICE
GUZILAMPARAI POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.1063 OF 2020.

...RESPONDENT/COMPLAINANT

2 MANICKAM

... RESPONDENT/DEFACTO COMPLAINANT

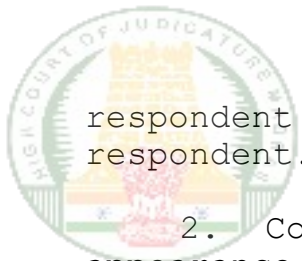
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the Petitioners in Charge Sheet in CC.No.81 of 2021 pending before the Judicial Magistrate Court,Vedasandhur in Dindigul District against Cr.No.1063 of 2020 for alleged offences U/s.294(b),324 and 506(ii)of IPC till the disposal of the instant Criminal Original Petition.

Prayer in CRL OP(MD). 21853/ 2022 :

To call for the records pertaining to Charge Sheet in CC.81 of 2021 pending before the Judicial Magistrate Court,Vedasandhur in Dindigul District against Cr.No.1063 of 2020 for alleged offences U/s.294(b),324 and 506(ii) of IPC and Quash the same as illegal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.LOUIS S, Advocate for the petitioner and of MR.M.MUTHUMANIKKAM, Government Advocate (Criminal Side) on behalf of the 1st Respondent and of MR.K.ARUNRAJ, Advocate for the 2nd Respondent, the court made the following order:-

Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Criminal Side) appearing for the first



respondent and the learned counsel appearing for the respondent.

2. Considering the facts and circumstances, the personal appearance of the petitioners before the trial Court is ordered to be dispensed with, on conditions that they shall appear at the time of initial questioning, proceedings under Section 313 of Cr.P.C., and at the time of passing judgment and on all the hearings, specifically directed by the trial court. The petitioners are further directed to give an undertaking in the form of affidavit that they will be duly represented by a counsel on all hearing dates and that the Counsel representing them will cross examine the prosecution witnesses on the same day they are examined in chief. The petitioners shall not dispute the identity of the witnesses. The petitioners shall appear before the Court in the event their presence is insisted by the trial judge for the purpose of identification. If the petitioners adopts any dilatorial tactics, it is open to the Trial Court to insist for their appearance and deal with the petitioners in accordance with the judgment of Supreme Court of India, **in State of Uttar Pradesh Vs. Shambunath Singh**, reported in **2001 (4) SCC 667**.

sd/-
20/12/2022

/ TRUE COPY /

/01/2023

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

CSM
TO

- 1 THE JUDICIAL MAGISTRATE, VEDASANDHUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
GUZILAMPARAI POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s. LOUIS S, Advocate (SR-15321[I] dated 22/12/2022)

ORDER

IN

CRL MP(MD) No.15398 of 2022
in

CRL OP(MD) No.21853 of 2022

Date : 20/12/2022

PKP/BUC/SAR-3/29.12.2022/2P/6C

<https://www.mhc.tn.gov.in/judis>