



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

Friday, the Sixteenth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.11055 of 2022
and
Crl.O.P.(MD)No.16572 of 2022

1 VASUKI

2 NADARAJAN

3 MUTHULAKSHMI

4 PRIYA @ MUTHUPRIYA

5 INDIRA GANDHI

... PETITIONERS/ACCUSED 2-6

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THENI DISTRICT.

2 KARUNYA @ DEVAJOTHI

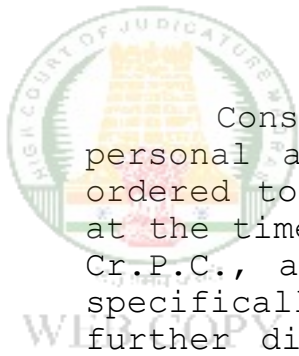
... RESPONDENTS/RESPONDENTS

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 Petitioner in CC.No.145 of 2022 on the file of Additional Mahila Court(Judicial Magistrate Level),Theni concerned in Cr.No.55 of 2021 on the file of Inspector of Police,All Women Police Station,Theni pending disposal of the above quash petition.

Prayer in CRL OP(MD). 16572/ 2022 :

To call for the records relating to the stay the impugned Charge Sheet in CC.No.145 of 2022 on the file of Additional Mahila Court,(Judicial Magistrate Level),Theni concerned in Cr.No.55 of 2021 on the file of Inspector of Police,All Women Police Station,Theni quash the same and allow this criminal original petition on the file of this Honb'le Court.

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.APPADURAI K, Advocate for the petitioners and of M/S.SS.MADHAVAN, Government Advocate(Crl.side) on behalf of the Respondent No.1 and M/S.C.EZHILARASU, Advocate for the Respondent No.2, the court made the following order:-



Considering the facts and circumstances of the case, 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 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 adopt any dilatorious 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/-
16/12/2022

/ TRUE COPY /

/12/2022

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

lr

TO

1. THE JUDGE,
ADDITIONAL MAHILA COURT (JUDICIAL MAGISTRATE LEVEL),
THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THENI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.APPADURAI K, Advocate (SR-15047[I] dated 16/12/2022)

ORDER
IN
Crl.M.P. (MD) No.11055 of 2022
and
Crl.O.P. (MD) No.16572 of 2022
Date : 16/12/2022

RK/VR/SAR-2 (22/12/2022) 2P/6C

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