



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

Thursday, the Eighth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.12189 of 2022
IN
CRL OP(MD)No.18261 of 2022

J.THAVAMANI KUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE FOOD SAFETY OFFICER
ALANGANALLUR UNION REGISTRATION NO.108,
FOOD SAFETY AND DRUG ADMINISTRATION,
OFFICE OF THE DESIGNATED OFFICER,
HEALTH AND FAMILY WELFARE TRAINING CENTRE CAMPUS,
VISHWANATHAPURAM- 625 503.
MADURAI DISTRICT.

... RESPONDENTS/RESPONDENTS

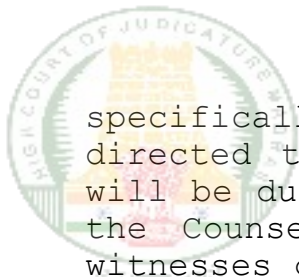
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the petitioner before the trial court in STC.No.13/2022 pending on the file of the learned Judicial Magistrate Vadipatti Madurai District pending disposal of the main quash petition pending on the file of the main quash petition pending on the file of this Hon'ble Court.

Prayer in CRL OP(MD). 18261/ 2022 :

To call for the entire records pertaining to the case in STC.No.13/2022 pending on the file of the learned Judicial Magistrate Vadipatti Madurai District and quash the same as against the petitioner.

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.ANAND R, Advocate for the petitioner and of MR.R.SIVA KUMAR, Government Advocate (Criminal Side) on behalf of the Respondents the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioner before the trial Court is ordered to be dispensed with, on conditions that he 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 petitioner is directed to give an undertaking in the form of affidavit that he will be duly represented by a counsel on all hearing dates and that the Counsel representing him will cross examine the prosecution witnesses on the same day they are examined in chief. The petitioner shall not dispute the identity of the witnesses. The petitioner shall appear before the Court in the event his presence is insisted by the trial judge for the purpose of identification. If the petitioner adopt any dilatorial tactics, it is open to the Trial Court to insist for his appearance and deal with the petitioner 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/-

08/12/2022

/ TRUE COPY /

/12/2022

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

DAS

TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE FOOD SAFETY OFFICER
ALANGANALLUR UNION REGISTRATION NO.108,
FOOD SAFETY AND DRUG ADMINISTRATION,
OFFICE OF THE DESIGNATED OFFICER,
HEALTH AND FAMILY WELFARE TRAINING CENTRE CAMPUS,
VISHWANATHAPURAM- 625 503.
MADURAI DISTRICT.

ORDER

IN

CRL MP(MD) No.12189 of 2022

IN

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Date :08/12/2022

PKP/VR/SAR-3/27.12.2022/2P/4C