



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

Monday, the Nineteenth day of December Two Thousand and Twenty Two

PRESENT

WEB COPY

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL MP(MD) No.15804 of 2022  
in  
CRL OP(MD) No.22360 of 2022

1 PHILIP JOSEPHPAULRAJ

2 JAYARANI

3 JENIGER @ JENIINFANTSILVIYA

4 JOHN KENNEDY

... PETITIONERS/ACCUSED NO.2 TO 5

Vs

1 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
MADURAI CITY.  
(CRIME NO.29/2020).

...1ST RESPONDENT/COMPLAINANT

2 HEPSIBHA MARY

...2ND RESPONDENT/DEFACTO COMPLAINANT

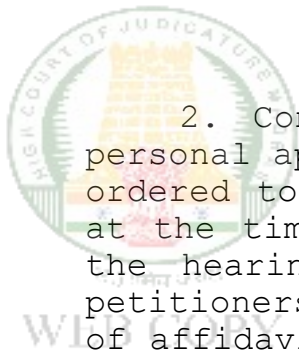
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personnel appearance of the petitioner in charge sheet dt.28.01.2022 filed in P.R.C No.248/2022 pending on the file of Judicial Magistrate Cum Additional Mahila Court, Madurai.

Prayer in CRL OP(MD). 22360/ 2022 :

To call for the records relating to the charge sheet dated 28.01.2020 filed in P.R.C No.248/2022 on the file of Judicial Magistrate Cum Additional Mahila Court, Madurai and quash the same as illegal in so far as the petitioners are concerned.

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.GANDHI.R, Advocate for the petitioner and of M/S.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent No.1, the court made the following order:-

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.



2. Considering the facts and circumstances of the case, the personal appearance of the petitioners before the Committal Court is ordered to be dispensed with, on conditions that they shall appear at the time of furnishing copies, at the time of committal and on the hearings, specifically directed by the Committal 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. If the petitioners adopt any dilatorial tactics, it is open to the Committal 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/-

19/12/2022

/ TRUE COPY /

/12/2022

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

CSM

TO

1. THE JUDICIAL MAGISTRATE CUM ADDITIONAL MAHILA COURT, MADURAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI.
3. THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.15804 of 2022  
in

CRL OP(MD) No.22360 of 2022

Date : 19/12/2022

RK/SSS/SAR-4 (23/12/2022) 2P/5C