



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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P(MD)No.15060 of 2022
and
Crl.O.P(MD)No.21437 of 2022

L.N.NITHYANANTHAM

... PETITIONER

Vs

S.RAMADOSS

... RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an order directing the Trial Court to dispense with the personal appearance of the petitioner in STC No.222/2022 pending on the file of the Learned Judicial Magistrate-I, Pudukkottai till the disposal of this Criminal Original Petition.

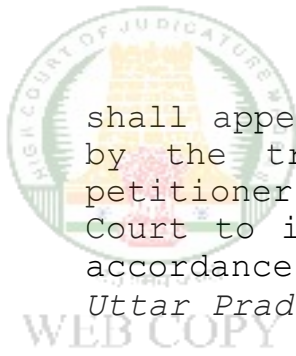
Prayer in Crl.O.P(MD)No.21437 of 2022:

To call for the records in STC No.222/2022 pending on the file of the Learned Judicial Magistrate-I, Pudukkottai and quash the same.

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.CHANDRASEKARAN P, Advocate for the petitioner, the court made the following order:-

Heard the learned Counsel appearing for the petitioner.

2.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 further 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 her 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 demanded by the trial judge for the purpose of identification. If the petitioner adopts 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/-
05/12/2022

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/12/2022

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

LR

TO

1.THE JUDICIAL MAGISTRATE-I, PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

+1 CC to M/s.P.CHANDRASEKARAN, Advocate (SR-14358[I] dated
05/12/2022)

ORDER
IN
Crl.M.P (MD)No.15060 of 2022
and
Crl.O.P (MD)No.21437 of 2022
Date :05/12/2022

RK/BUC/SAR-1 (15/12/2022) 2P/4C