



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.15210 of 2022  
IN  
CRL OP(MD)No.21586 of 2022

S.RAJENDRAN

... PETITIONER/PETITIONER

**Vs**

K.RAMASAMY, B.Sc.(AGRI)  
AGRICULTURE OFFICER AND INSECTICIDE INSPECTOR,  
DINDIGUL BLOCK,  
DINDIGUL DISTRICT.

... RESPONDENT/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 in STC.No.1161/2022 on the file of the Judicial Magistrate No.1, Dindigul, pending disposal of the above Criminal Original Petition.

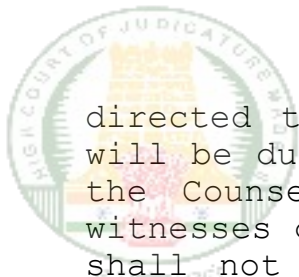
**Prayer in CRL OP(MD) . 21586/ 2022 :**

To call for the records in STC.No.1161/2022 on the file of the Judicial Magistrate No.1, Dindigul and quash the same in so far as the Petitioners concern.

**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. VENKATESH.D, Advocate for the petitioner and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

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

2. Considering the facts and circumstances, 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 all the hearings, specifically directed by the trial court. The petitioner is further



directed to give an undertaking in the form of affidavit. 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 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/-

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 NO.I,  
DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL DISTRICT.
- 3 K.RAMASAMY, B.Sc.(AGRI)  
AGRICULTURE OFFICER AND INSECTICIDE INSPECTOR,  
DINDIGUL BLOCK,  
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**ORDER IN**

CRL MP(MD) No.15210 of 2022  
IN

CRL OP(MD) No.21586 of 2022

Date :20/12/2022

SA/MMS/SAR.4/04.01.2023/2P/5C