



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

Wednesday, the Seventh day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.15205 of 2022
in
Crl.O.P.(MD)No.21582 of 2022

1 SEENI MOHAMMED
2 MOHAMMED NIZAMUDEEN
3 JAMAL MAIDEEN
4 THAJUDEEN

... PETITIONERS/ACCUSED NOS.1,3 TO 5

Vs

1. THE STATE REP. BY,
THE INSPECTOR OF POLICE,
THIRUVERAMBUR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO. 51 OF 2022).

... RESPONDENT/COMPLAINANT

2. ABDUL HAKEEM

... RESPONDENT/DEFACTO COMPLAINANT

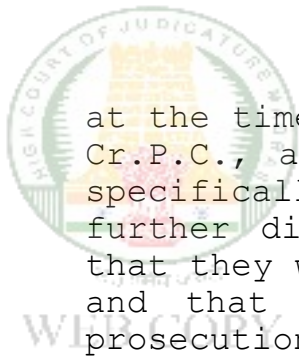
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the Petitioners in S.T.C.No. 5415 of 2022 before the learned Judicial Magistrate No.VI, Tiruchirappalli.

PRAYER IN CRL MP(MD) No.15205 of 2022 :

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to call for the records of Charge Sheet in S.T.C.No. 5415 of 2022 before the learned Judicial Magistrate No.VI, Tiruchirappalli and Quash the same as illegal.

ORDER : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.SMA.JINNAH, Advocate for the petitioner and of MR.SS.MADHAVAN, Government Advocate (Crl.Side) on behalf of the Respondent, 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 167 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 dilatorial 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/-

07/12/2022

/ TRUE COPY /

/12/2022

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

TO

1. THE JUDICIAL MAGISTRATE NO.VI,
TIRUCHIRAPPALLI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
THIRUVERAMBUR POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL MP(MD) No.15205 of 2022
in

CrI.O.P.(MD)No.21582 of 2022

Date :07/12/2022

das

USK/SSS/SAR-IV/14.12.2022/2P/5C