



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.M.P.(MD)No.15271 of 2022
in
Crl.O.P.(MD)No.21670 of 2022

GEETHA

... PETITIONER/PETITIONER

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANNIYAKUMARI DISTRICT
(CRIME NO. 11 OF 2021)

2 MURUGESAN

... 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 in C.C.No. 973 of 2022 pending on the file of the Special Judicial Magistrate for Land Grabbing, Tirunelveli and pending disposal of the above quash petition.

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.NARAYANAKUMAR K P, Advocate for the petitioner and of M/S.S.S.MADHAVAN, Government Advocate(Crl.side) on behalf of the Respondent No.1, the court made the following order:-

Considering the facts and circumstances, the personal appearance of the petitioner before the trial Court is ordered to be dispensed with, on conditions that she 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 that she 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 her presence is insisted by the trial judge for the purpose of identification. If the



petitioner adopts any dilatorial tactics, it is open to the Court to insist for her 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**.

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sd/-
08/12/2022

/ TRUE COPY /

/12/2022

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

csm

TO

1.THE SPECIAL JUDICIAL MAGISTRATE FOR LAND GRABBING,
TIRUNELVELI

2 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
KANNIYAKUMARI DISTRICT

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-14606[I] dated
09/12/2022)

ORDER

IN

Crl.M.P.(MD)No.15271 of 2022
in

Crl.O.P.(MD)No.21670 of 2022
Date :08/12/2022

RK/BUC/SAR-2 (21/12/2022) 2P/5C