



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

Friday, the Ninth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.15383 of 2022

IN

CRL OP(MD) No.21324 of 2022

1 B.KANIYAMMAL

2 M.BASKARAN

3 THANGARAJ

... PETITIONERS/PETITIONERS

Vs

MAHALINGAM

... 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 of the Petitioners in STC.No.1501 of 2022 on the file of the Judicial Magistrate, Tirumangalam, pending final disposal of this Criminal Original Petition.

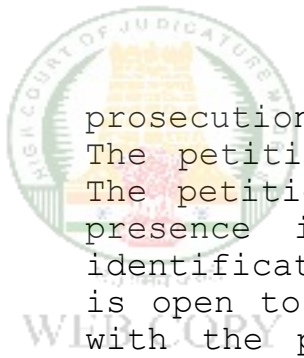
Prayer in CRL OP(MD). 21324/ 2022 :

To call for the records relating to the private complaint in STC.No.1501 of 2022 on the file of the Judicial Magistrate, Tirumangalam.

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.ABUBUCKER SIDHIC S, Advocate for the petitioners, the court made the following order:-

Heard the learned counsel appearing for the petitioners.

2.Considering the facts and circumstances, 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 313 of Cr.P.C., and at the time of passing judgment and on all 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 i .
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 adopts 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/-

09/12/2022

/ TRUE COPY /

/12/2022

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

+1. C.C. to M/S.ABUBUCKER SIDHIC S Advocate SR.No.14597 (I)
Date:09/12/2022.

ORDER

IN

CRL MP (MD) No.15383 of 2022

IN

CRL OP (MD) No.21324 of 2022

Date :09/12/2022

csm

SS/SSS/SAR.IV/21.12.2022/2P/4C