



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

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

WEB COPY

PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

Crl.M.P.(MD)No.15967 of 2022  
in  
Crl.O.P.(MD)No.22597 of 2022

1 RAVI

2 RANI

3 SUGANIYA

... PETITIONERS/1 TO 3 ACCUSED

Vs

1 THE SUB INSPECTOR OF POLICE  
MANACHANALLUR POLICE STATION,  
MANACHANALLUR,  
TRICHY DISTRICT.  
(CRIME NO.98/2019)

...1ST RESPONDENT/COMPLAINANT

2 SETHURAMAN

...2ND RESPONDENT/DEFACTO COMPLAINANT

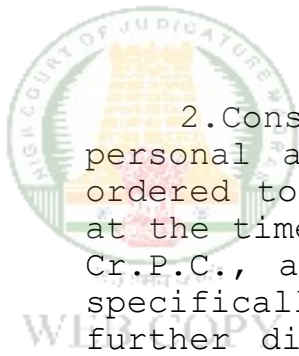
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense With From the Personal Appearance of the petitioners in STC No.4345/2019 on the file of the Judicial Magistrate No.III Trichy and pending disposal of the above criminal original petition and thus render justice.

Prayer in CRL OP(MD). 22597/ 2022 :

To call for the records pertaining to the complaint in STC.No.4345/2019 on the file of the Judicial Magistrate No.III Trichy and quash the same as illegal as against the petitioners.

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. VADIVELAN T, Advocate for the petitioner and of M/S.R.SIVAKUMAR, Government Advocate(Crl.side) for the Respondent No.1, the court made the following order:-

Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (Crl.Side).



2.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 313 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 dilatorious 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/-  
21/12/2022

/ TRUE COPY /

/12/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

lr

TO

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

ORDER  
IN  
Crl.M.P. (MD) No.15967 of 2022  
in  
Crl.O.P. (MD) No.22597 of 2022  
Date :21/12/2022

RK/VR/SAR-2 (27/12/2022) 2P/5C

<https://www.mhc.tn.gov.in/judis>