



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.15878 of 2022
and
CRL OP(MD)No.22474 of 2022

1 K.A.MUTHU

2 M.MANIKANDAN

3 M.SAKTHIVEL

4 M.MAHALAKSHMI

... PETITIONER/ACCUSED NOS. 1 TO 4

Vs

1 THE STATE REP BY,
THE INSPECTOR OF POLICE
ANTI LAND GRABBING DIVISION,
TRICHY CITY-CCB,
TIRUCHIRAPPALLI DISTRICT.
(CR NO.13/2022)

...1st RESPONDENT/RESPONDENT

2 D.SARAVANAN

...2nd RESPONDENT/PRIAVTE 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 Presence and Appearance of the Petitioners in respect of CC No.18/2022 on the file of the Learned Special Court for Exclusive Trial for Land Grabbing Cases, Tiruchirappalli, pending disposal of the Crl OP.

Prayer in CRL OP(MD)No. 22474/ 2022 :

To call for the records relating to the complaint in CC No.18/2022 on the file of the learned Special Court for Exclusive Trial for Land Grabbing Cases, Tiruchirappalli for the alleged offences under section 120(B), 465,467,468,469 and 420 of Indian Penal Code and Quash the same 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.ROMEO ROY ALFRED.I, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the 1st Respondent and of MR.S.KARUPPASAMY PANDIAN, Advocate for 2nd 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 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 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/-
20/12/2022

/ TRUE COPY /

/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

TO

- 1 THE SPECIAL JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL FOR LAND
GRABBING CASES, TIRUCHIRAPPALLI.
- 2 THE INSPECTOR OF POLICE
ANTI LAND GRABBING DIVISION, TRICHY CITY-CCB,
TIRUCHIRAPPALLI DISTRICT.(CR NO.13/2022)
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.15878 of 2022
and
CRL OP(MD)No.22474 of 2022
Date :20/12/2022

PKP/VR/SAR-1/02.01.2023/2P/4C

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