



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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.15674 of 2022
in
CRL OP(MD) No.22210 of 2022

1 MOHANA
2 SATHISHKUMAR

... PETITIONERS/PETITIONERS

Vs

1 State Rep.by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANTHAPURAM DISTRICT.
CRIME NO.19 OF 2021.

2 PAVITHRA

... RESPONDENTS/RESPONDENTS

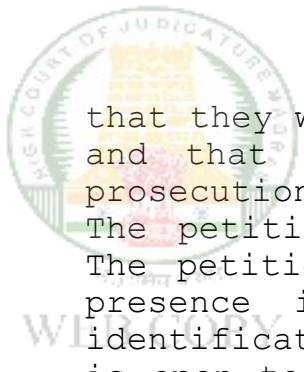
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the Petitioners/Accused No.4 and 5 in CC.No.175 of 2022 on the file of the Judicial Magistrate (Additional Mahila Court), Ramanathapuram.

Prayer in CRL OP(MD).22210/2022 :

To call for records relating to the Charge Sheet in CC.No.175 of 2022 on the file of the Judicial Magistrate (Additional Mahila Court), Ramanathapuram and quash the same so far as the Petitioners/Accused No.4 and 5.

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.J.BARATHAN, Advocate for the petitioners and of MR.SS.MADHAVAN, Government Advocate (Crl.Side) on behalf of the 1st 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 directed to give an undertaking in the form of affidavit



that they will be duly represented by a counsel on all hear. es
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/-

16/12/2022

/ TRUE COPY /

/12/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE, ADDITIONAL MAHILA COURT,
RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
RAMANTHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL MP(MD) No.15674 of 2022
in

CRL OP(MD) No.22210 of 2022

Date :16/12/2022

lr

RS/SSS/SAR.3(22.12.2022) 2P-5C