



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.15694 of 2022

AND

CRL OP(MD)No. 22225 of 2022

NAGAVALLI

... PETITIONER/PETITIONER

Vs

1 STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH (ALGSC),
PUDUKKOTTAI DISTRICT.
CRIME NO.58 OF 2013.

2 GOWSALYA

... 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 CC.No.11 of 2021 on the file of the Judicial Magistrate No.II,Pudukkottai pending disposal of the Quash Petition.

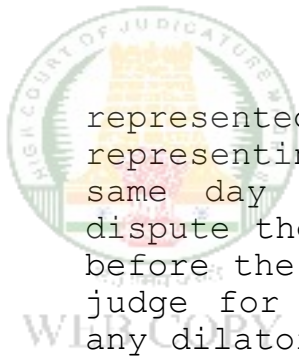
Prayer in CRL OP(MD)No. 22225/ 2022 :

To call for the records pertaining to the Charge Sheet in CC.No.11 of 2021 on the file of the Judicial Magistrate No.II,Pudukkottai and quash the same as illegal in so far as the Petitioners concerned.

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.LENIN KUMAR T, Advocate for the petitioner and of MR.M.MADHAVAN, Government Advocate 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 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 the hearings, specifically directed by the trial court. The petitioner is further directed to

<https://www.mca.gov.in/judis>



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 dilatorical tactics, it is open to the Trial 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**.

sd/-
16/12/2022

/ 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.II,
PUDUKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH (ALGSC),
PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.LENIN KUMAR T, Advocate (SR-15059[I] dated 19/12/2022)

ORDER
IN
CRL MP(MD) No.15694 of 2022
AND
CRL OP(MD)No.22225 of 2022
Date :16/12/2022

PKP/VR/SAR-3/27.12.2022/2P/6C

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