



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.M.P(MD)No.15890 of 2022
in
Crl.O.P.(MD)No.22484 of 2022

K.SELVAKUMAR

... PETITIONER/PETITIONER

Vs

1 THE STATE REP BY,
THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.153 OF 2021.

2 RAVICHANDRAN

... 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 STC.No.580 of 2022 on the file of the Learned Judicial Magistrate Court, Sathankulam,Thoothukudi District.

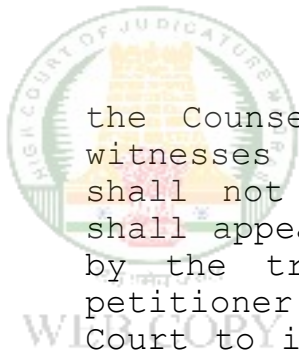
Prayer in CRL OP(MD). 22484/ 2022 :

To call for the records pertaining to the Impugned Charge Sheet in STC.No.580 of 2022 pending on the file of the Learned Judicial Magistrate Court,Sathankulam,Thoothukudi District and to quash the same as against Petitioner.

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.DAVID GANESAN J, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor 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 he 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 give an undertaking in the form of affidavit that he

will not be directly represented by a counsel on all hearing dates and that



the Counsel representing him will cross examine the pro on witnesses on the same day he is examined in chief. The petitioner shall not dispute the identity of the witnesses. The petitioner shall appear before the Court in the event his presence is insisted by the trial judge for the purpose of identification. If the petitioner adopts any dilatorial tactics, it is open to the Trial Court to insist for his 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/-

20/12/2022

/ TRUE COPY /

/12/2022

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

DAS

TO

- 1 THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.DAVID GANESAN J, Advocate (SR-15388[I] dated 22/12/2022

ORDER

IN

Cr1.M.P(MD)No.15890 of 2022
in

Cr1.O.P.(MD)No.22484of 2022

Date :20/12/2022

PKP/MMS/SAR-1/27.12.2022/2P/6C