



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

Tuesday, the Twentieth day of December Two Thousand and Twenty Two

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P(MD)No.15850 of 2022

in

Crl.O.P.(MD)No.22450 of 2022

PERTIN RAYAN

... PETITIONER/PETITIONER

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY
(CRIME NO.323 OF 2022)

2.L.VENKATRAMAN
ASSISTANT COMMISSIONER,
THACHANALLUR WARD OFFICE,
TIRUNELVELI CORPORATION,
TIRUNELVELI DISTRICT

... RESPONDENTS/RESPONDENTS

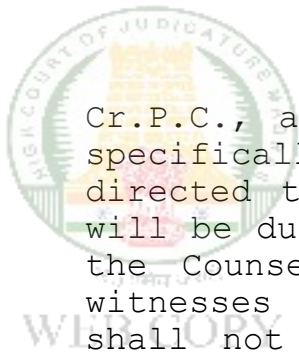
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the petitioner on future hearing dates in C.C.No.2741 of 2022 on the file of the learned Judicial Magistrate No.IV, Tirunelveli, Tirunelveli District pending disposal of the main criminal original petition.

Prayer in CRL OP(MD). 22450/ 2022 :

To call for the records and quash the proceedings in CC.No.2741 of 2022 on the file of the learned Judicial Magistrate No.IV, Tirunelveli, Tirunelveli District.

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. SURI.M, Advocate for the petitioner and of M/S.M.MUTHUMANIKKAM, Government Advocate(Crl.side) on behalf of the Respondent No.1, 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 Court of initial questioning, proceedings under Section 313 of



Cr.P.C., and at the time of passing judgment and on the , specifically directed by the trial court. The petitioner is further directed to give an undertaking in the form of affidavit that he will be duly represented by a counsel on all hearing dates and that the Counsel representing him will cross examine the prosecution 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 NO.IV,
TIRUNELVELI, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3.THE INSPECTOR OF POLICE
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.SURI.M Advocate (SR-15208[I] dated 20/12/2022)

ORDER
IN
Crl.M.P(MD)No.15850 of 2022
in
Crl.O.P.(MD)No.22450 of 2022
Date :20/12/2022

RK/VR/SAR-3 (26/12/2022) 2P/6C

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