



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

Wednesday, the Twenty Fifth day of January Two Thousand and  
Twenty Three

WEB COPY

PRESENT

**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL MP(MD) No.1101 of 2023

IN

CRL OP(MD) No.1246 of 2023

L.KAVITHA

... PETITIONER/ACCUSED No.2

**Vs**

1 THE INSPECTOR OF POLICE  
KENIKKARAI POLICE STATION,  
RAMANATHAPURAM DISTRICT.  
(CRIME NO.819/2021).

... RESPONDENT/COMPLAINANT

2 RAJA

... RESPONDENT/DE-FACTO COMPLAINANT

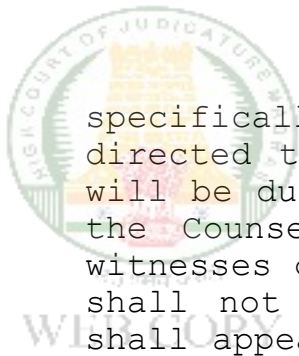
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to dispense with the personal appearance of the petitioner before the trial court in connection with the case in CC No.228/2022 pending on the file of the Additional Mahila Court, Ramanathapuram District pending disposal of the main quash petition.

**Prayer in CRL OP(MD) . 1246/ 2023 :**

To call for the entire records pertaining to the case in CC No.228/2022 pending on the file of the Additional Mahila Court, Ramanathapuram District and quash the same as against the 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.ANAND R, Advocate for the petitioner and of Mr.M.MUTHUMANIKKAM, Government Advocate(crl.side) on behalf of the 1<sup>st</sup> 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 directed to give an undertaking in the form of affidavit that she will be duly 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 dilatorial 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/-

25/01/2023

/ TRUE COPY /

/02/2023

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

DAS

TO

- 1 THE ADDITIONAL MAHILA JUDGE,  
RAMANTHAPURAM DISTRICT.
- 2 THE INSPECTOR OF POLICE  
KENIKKARAI POLICE STATION,  
RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**ORDER IN**

CRL MP(MD) No.1101 of 2023  
IN  
CRL OP(MD) No.1246 of 2023  
Date :25/01/2023

SA/SSS/SAR.2/07.02.2023/2P/4C