



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

Monday, the Thirtieth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.1204 of 2023

IN

CRL OP(MD) No.1351 of 2023

RAMACHANDRAN

... PETITIONER/ACCUSED No.5

Vs

1 THE INSPECTOR OF POLICE
S.S COLONY POLICE STATION,
MADURAI CITY.
CRIME NO. 474 OF 2018

... 1st RESPONDENT/COMPLAINANT

2 RAJAGURU

... 2nd RESPONDENT/DEFACTO COMPLAINANT

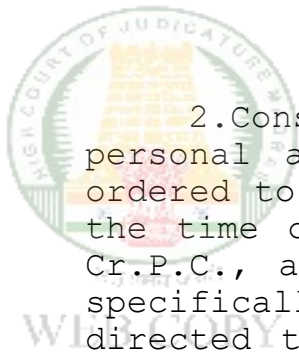
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the petitioner / Accused No.5 relating to the charge sheet in S.C No. 22/2023 on the file of the Principal District Court, Madurai pending disposal of the above quash petition.

Prayer in CRL OP(MD) . 1351/ 2023 :

To call for the records relating to the charge sheet in S.C No. 22/2023 on the file of the Principal District Court, Madurai quash the same as against the petitioner / Accused No.5 are 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.M.SUBASH BABU, Senior Advocate for Mr.AJAYKOSE.C, Advocate for the petitioner and of Mr.R.SIVAKUMAR, Government Advocate(crl.side) on behalf of the 1st Respondent, the court made the following order:-

Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.



2.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 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 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 his presence is insisted by the trial judge for the purpose of identification. If the petitioner adopts any dilatorious 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/-
30/01/2023

/ TRUE COPY /

/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE PRINCIPAL DISTRICT JUDGE,
MADURAI.

2 THE INSPECTOR OF POLICE
S.S COLONY POLICE STATION,
MADURAI CITY.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.C.SUSI KUMAR, Advocate SR.No.1614

**ORDER
IN**

CRL MP(MD) No.1204 of 2023
IN
CRL OP(MD) No.1351 of 2023
Date :30/01/2023

SA/SSS/SAR.3/04.02.2023/2P/5C