



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

Friday, the Tenth day of February Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.2243 of 2023
in
CRL OP(MD)NO. 2504 of 2023

RAMACHANDRAN

... PETITIONER/SOLE ACCUSED

Vs

1 THE STATE REP.BY
THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION, DINDIGUL DISTRICT.
(CRIME NO. 387 OF 2015) ... RESPONDENT/COMPLAINANT

2 PERUMAL
... 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 in CC.No.50 of 2017 before the Learned Judicial Magistrate, Nilakottai and pass such further or other orders as this Honble Court.

Prayer in CRL OP(MD). 2504/ 2023 :

To call for the records of Charge Sheet in CC.No.50 of 2017 before the Learned Judicial Magistrate, Nilakottai and quash the same as illegal and pass such further or other orders as this Honble Court.

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.JINNAH S.M.A., Advocate for the petitioner and of M.MUTHUMANIKKAM, Government Advocate(Criminal Side) on behalf of the Respondent the court made the following order:-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2. Considering the facts and circumstances, 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 all 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 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/-
10/02/2023

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI,
DINDIGUL DISTRICT.
2. DO THOROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL MP (MD) No.2243 of 2023
in
CRL OP (MD) NO. 2504 of 2023
Date :10/02/2023