



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

Thursday, the Second day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.1653 of 2023

IN

CRL OP(MD) No.1875 of 2023

P.RAVI

... PETITIONER/PETITIONER

Vs

K.SURESH KUMAR

... RESPONDENT/RESPONDENT

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 S.T.C No. 288 of 2022 pending on the file of the Judicial Magistrate / Fast Track court, Thoothukudi.

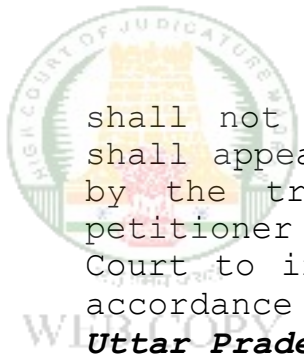
Prayer in Crl.OP(MD).1875/2023:

Pleased to call for the records relating to S.T.C No. 288 of 2022 pending on the file of the Judicial Magistrate / Fast Track Court, Thoothukudi, quash the same as against the petitioner.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.SELVA KUMARAN, Advocate for Mrs.R.JENIFAR BIBIN, Advocate for the petitioner, the court made the following order:-

Heard the learned Counsel appearing for the petitioner.

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 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/-

02/02/2023

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/02/2023

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

LR

TO

1 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT, THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

ORDER

IN

CRL MP(MD) No.1653 of 2023

IN

CRL OP(MD) No.1875 of 2023

Date :02/02/2023

SS/VS/SAR.1/24.02.2023/2P/3C