



WEB COPY

CRL MP(MD)



23

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

Friday, the Third day of February Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.1731 of 2023

IN

CRL OP(MD) NO.1989 OF 2023

S.KAVITHA

... PETITIONER/SOLE ACCUSED/
SOLE ACCUSED

Vs

1 THE STATE REP. BY THROUGH,
THE INSPECTOR OF POLICE
CYBER CRIME POLICE STATION,
DINDIGUL DISTRICT,
DINDIGUL.

... 1ST RESPONDENT/COMPLAIANT/
COMPLAINANT

2 SELVI

... 2ND RESPONDENT/DEFACTO COMPLAINANT/
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.995/2022 pending on the file of the Learned Judicial Magistrate No.I, Dindigul pending disposal of the above Criminal Original Petition.

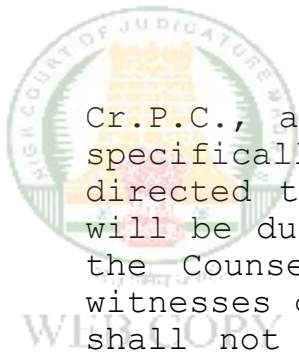
Prayer in CRL OP(MD) . 1989/ 2023 :

To call for the records relating to CC No.995/2022 pending on the file of the Learned Judicial Magistrate No.I,Dindigul District and Quash the same.

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.ANANDKUMAR J, Advocate for the petitioner and of M/S.R.SIVAKUMAR, Government Advocate (Crl. Side) on behalf of the Respondents 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 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 : , specifically directed by the trial court. The petitioner is further 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/-
03/02/2023

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

LR

TO

- 1 JUDICIAL MAGISTRATE NO.I, DINDIGUL DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
 - 3 THE INSPECTOR OF POLICE
CYBER CRIME POLICE STATION,
DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.ANANDKUMAR J Advocate SR.No.1804(I)

ORDER
IN
CRL MP(MD) No.1731 of 2023
in
CRL OP(MD) No.1989 of 2023
Date : 03/02/2023

NA/SAR-3/10.02.2023/2P/6C

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