



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

Monday, the Twenty Seventh day of February Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.2731 of 2023
IN
CRL OP(MD) No.2984 of 2023

- 1 P.AKARATHI @ AGARATHI
- 2 A.GANDHI VEERAN @ GANTHI VEERAN
- 3 A.SURESH
- 4 P.JEGANATHAN @ JEGAN
- 5 S.KARUMUKILAN @ KARU MUGILAN
- 6 P.MARIMUTHU
- 7 M.THANGAPANDI @ MARICHAMY
- 8 S.RAJESH
- 9 G.MUTHULAKSHMI
- 10 S.MUTHUMARI
- 11 K.SOLAIYAMMAL @ SOLAYAMMAL
- 12 P.SANGITH KUMAR @ RANJITHKUMAR
- 13 M.MURUGESAN @ MURUGESHAN
- 14 T.RATHI @ SUMATHI
- 15 K.SIKKANDARAMMAL @ SIKKANTHARAMMAL
- 16 P.SHANTHA @ SANTHA
- 17 V.KARPAGAVALLI @ KARPPAGAVALLI
- 18 A.HAJIRA @ MEGAR NISHA



20 G.PRIYANKA

21 P.PANDIYAMMAL

22 R.SHANTHI

23 U.KARBAGAM @ KARPAGAM

24 K.VIJAYALAKSHMI

25 K.MEENA

26 K.THANGAMMAL @ SELVI

27 M.LAKSHMI @ RANI

28 T.VEERALAKSHMI @ VIJAYALAKSHMI

29 L.PANDISELVI

30 T.ELAKKIYA @ ILAKKIYA

31 S.YASMIN SAHIRA

32 S.MEENAKSHI

33 M.MAHESWARI @ MAHESHWARI

34 O.KAMAR NISHA

35 G.MAHESWARI @ MAHESHWARI

... PETITIONERS/PETITIONERS

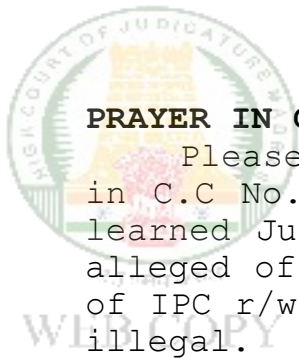
Vs

1 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
CRIME NO. 767 OF 2020

2 JANSIRANI
THE VILLAGE ADMINISTRATIVE OFFICER,
NO.40 RAJAKAMBEERAM, 43 PODASAPATTI (GROUP),
MADURAI EAST TALUK,
MADURAI DISTRICT.

... RESPONDENTS/RESPONDENTS

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 the proceedings of the charge sheet in C.C No. 36 of 2022 dated 11.06.2020 pending on the file of the Learned Judicial Magistrate, Melur pending disposal of the above Criminal Original Petition.

**PRAYER IN CRL.OP(MD) .2984 of 2023:**

Pleaded to call for the records pertaining to the charge sheet in C.C No. 36 of 2022 dated 11.06.2020 pending on the file of the learned Judicial Magistrate, melur in Crime No. 767 of 2020 for an alleged offence under sections 143, 341, 294(b), 151, 353, 188, 271 of IPC r/w Section 3 of Epidemic Diseases Act and quash the same as illegal.

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.T.THIRUMURUGAN, Advocate for the petitioners and of Mr.R.SIVAKUMAR, Government Advocate(crl.side) on behalf of the Respondents, the court made the following order:-

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

2. Considering the facts and circumstances, the personal appearance of the petitioners before the trial Court is ordered to be dispensed with, on conditions that they 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 petitioners are further directed to give an undertaking in the form of affidavit that they will be duly represented by a counsel on all hearing dates and that the Counsel representing them will cross examine the prosecution witnesses on the same day they are examined in chief. The petitioners shall not dispute the identity of the witnesses. The petitioners shall appear before the Court in the event their presence is insisted by the trial judge for the purpose of identification. If the petitioners adopts any dilatorial tactics, it is open to the Trial Court to insist for their appearance and deal with the petitioners 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/-

27/02/2023

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/03/2023

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

CSM

TO

1 THE JUDICIAL MAGISTRATE,
MELUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



3 THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL MP (MD) No.2731 of 2023
IN

CRL OP (MD) No.2984 of 2023

Date :27/02/2023

SA/SBN/SAR.4/06.03.2023/4P/5C