



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.2726 of 2023
in
CRL OP(MD)NO.2992 OF 2023

1 G.ANANDHAKUMAR
2 P.DHINAKARAN

... PETITIONER/ACCUSED NO.1 & 2

Vs

1 THE FOOD SAFETY OFFICER
FOOD SAFETY AND DRUG ADMINISTRATION
DEPARTMENT, COLDE NO.110, KALLIGUDI BLOCK,
OFFICE OF THE DESIGNATED OFFICER, TAMILNADU
FOOD SAFETY AND ADMINISTRATION WING
1ST FLOOR, OFFICE OF THE DEPUTY DIRECTOR OF HEALTH SERVICES
MULTIPURPOSE HEALTH SUPERVISORS
TRAINING SCHOOL,
VISWANATHAPURAM,
MADURAI-14

... RESPONDENT/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 petitioners/accused No.1 and 2 in STC No.5 of 2023 on the file of the District Munsif cum Judicial Magistrate, Peraiyur pending disposal of the criminal original petition

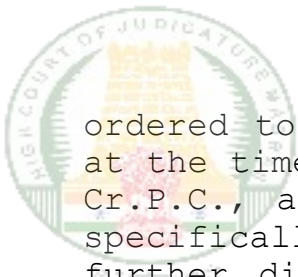
Prayer in CRL OP(MD). 2992/ 2023 :

To call for the records quash the proceedings in STC NO.5 of 2023 on the file of the District Munsif cum Judicial Magistrate, Peraiyur in so far as the petitioners and grant such other further relieves

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.RAJARAMAN.M, Advocate for the petitioner the court made the following order:-

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

Considering the facts and circumstances of the case, 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 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 adopt 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.

TO

1.The District Munsif cum Judicial Magistrate, Peraiyur

2.Do Through

The Chief Judicial Magistrate,
Madurai.

3 THE FOOD SAFETY OFFICER

FOOD SAFETY AND DRUG ADMINISTRATION

DEPARTMENT, COLDE NO.110, KALLIGUDI BLOCK,

OFFICE OF THE DESIGNATED OFFICER, TAMILNADU

FOOD SAFETY AND ADMINISTRATION WING

1ST FLOOR, OFFICE OF THE DEPUTY DIRECTOR OF HEALTH SERVICES

MULTIPURPOSE HEALTH SUPERVISORS

TRAINING SCHOOL,

VISWANATHAPURAM,

MADURAI-14

ORDER

IN

CRL MP (MD) No.2726 of 2023

in

CRL OP (MD) NO.2992 OF 2023

Date : 27/02/2023