



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

Friday, the Third day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.3481 of 2023
in
CRL OP(MD) No.3894 of 2023

K.JEYALAKSHMI

... PETITIONER/ACCUSED NO.3

Vs

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THALLAKULAM,
MADURAI CITY.
(CRIME NO.25/2021).

...RESPONDENT/COMPLAINANT

2 KALAI ARASI

... RESPONDENT/DEFACTO COMPLAINANT

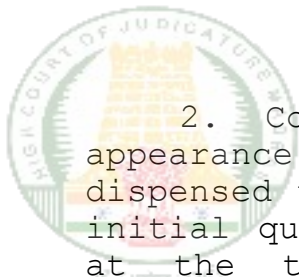
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to dispense with the personal appearance of the petitioner before the trial court in connection with the case in CC No.32/2023 pending on the file of the Additional Mahila Court, (Magisterial Level), Madurai pending the disposal of the main quash petition pending on the file of this Hon'ble Court.

Prayer in CRL OP(MD). 3894/ 2023 :

To call for the entire records pertaining to the case in CC No.32/2023 pending on the file of the Additional Mahila Court (Magisterial Level), Madurai and quash the same as against the petitioner.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.T.LAJAPATHI ROY, Senior Counsel for Mr.ASHOK S, Advocate for the petitioner and of MR.R.SIVAKUMAR, Government Advocate (Criminal Side) on behalf of the 1st Respondent, the court made the following order:-

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



2. Considering the facts and circumstances, the 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 all the hearings, 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/-

03/03/2023

/ TRUE COPY /

/03/2023

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

CSM

TO

- 1 THE ADDITIONAL MAHILA JUDGE,
(MAGISTERIAL LEVEL), MADURAI.
 - 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THALLAKULAM,
MADURAI CITY.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.S.ASHOK, Advocate SR.No.3376(I)

ORDER

IN

CRL MP(MD) No.3481 of 2023
in

CRL OP(MD) No.3894 of 2023

Date : 03/03/2023

PKP/BUC/SAR-3/13.03.2023/ 2P/ 6C

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