



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

Monday, the Twenty Fourth day of April Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)Nos.6618, 6622, 6623, 6624, 6626,
6628, 6630, 6634 and 6635 of 2023

in

Crl.O.P.(MD)Nos.7568, 7572, 7570, 7569, 7571,
7573, 7574, 7576 and 7575 of 2023

MALA

... PETITIONER/PETITIONER/ACCUSED No.2
in CRL MP(MD)No.6618, 6622, 6623,
6624 & 6626 of 2023

... PETITIONER/PETITIONER/ACCUSED No.5
in CRL MP(MD)No.6628 of 2023

... PETITIONER/PETITIONER/ACCUSED No.3
in CRL MP(MD)No.6630, 6634
& 6635 of 2023

Vs

1 THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
KANNIYAKUMARI DETACHMENT @ NAGERCOIL,
KANYAKUMARI DISTRICT.
CRIME NO. 3/2015

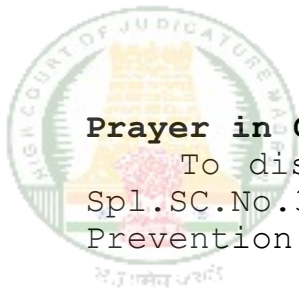
2 Tr.C.KIPSON ... 2nd RESPONDENT/2nd RESPONDENT/DEFACTO COMPLAINANT
in ALL THE PETITIONS

Prayer in CRL MP(MD). 6618/ 2023 in CRL OP(MD).7568 of 2023:

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 Spl S.C No. 1 of 2023 on the file of Special Judge for Trial cases under Prevention of Corruption Cases, Tirunelveli.

Prayer in CRL MP(MD). 6622/ 2023 in CRL OP(MD).7572 of 2023 :

To dispense with the personal appearance of the petitioner in Spl.S.C.No.5 of 2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases,Tirunelveli.

**Prayer in CRL MP(MD) . 6623/ 2023 in CRL OP(MD) .7570 of 2023:**

To dispense with the personal appearance of the petitioner in Spl.SC.No.3/2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli.

Prayer in CRL MP(MD) . 6624/ 2023 in CRL OP(MD) .7569 of 2023:

To Dispense with the personal appearance of the petitioner in Spl S.C No. 2 of 2023 on the file of Special Judge for Trial cases under Prevention of Corruption Cases, Tirunelveli

Prayer in CRL MP(MD) . 6626/ 2023 in CRL OP(MD) .7571 of 2023:

To dispense with the personal appearance of the petitioner in Spl.SC.No.4/2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli.

Prayer in CRL MP(MD) . 6628/ 2023 in CRL OP(MD) .7573 of 2023:

To dispense with the personal appearance of the petitioner in Spl.S.C.No.6 of 2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli.

Prayer in CRL MP(MD) . 6630/ 2023 in CRL OP(MD) .7574 of 2023:

To Dispense with the personal appearance of the petitioner in Spl SC No.7/2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli.

Prayer in CRL MP(MD) . 6634/ 2023 in CRL OP(MD) .7576 of 2023:

To Dispense with the personal appearance of the petitioner in Spl.S.C.No.11 of 2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli.

Prayer in CRL MP(MD) . 6635/ 2023 in CRL OP(MD) .7575 of 2023:

To Dispense with the personal appearance of the petitioner in Spl SC No.10/2023 on the file of Special Judge for Trial Cases under Prevention of Corruption cases, Tirunelveli.

Prayer in CRL OP(MD) . 7568/ 2023 :

To call for the records pertaining to the Spl S.C No. 1 of 2023 on the file of Special Judge for Trial cases under Prevention of Corruption Cases, Tirunelveli and quash the same as for as this petitioner as illegal.

Prayer in CRL OP(MD) . 7572/ 2023 :

To call for the records pertaining to the Spl.S.C.No.5 of 2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli and quash the same as far as this petitioner as illegal.

Prayer in CRL OP(MD) . 7570/ 2023 :

To call for the records pertaining to the Spl.SC.No.3/2023 on the file of the Special Judge for Trial Cases under Prevention of Corruption cases, Tirunelveli and quash the same as far as this petitioner is concerned as illegal.

**Prayer in CRL OP(MD) . 7569/ 2023 :**

To call for the records pertaining to the Spl S.C No. 2 of 2023 on the file of Special Judge for Trial cases under Prevention of Corruption Cases, Tirunelveli and quash the same as for as this petitioner as illegal.

Prayer in CRL OP(MD) . 7571/ 2023 :

To call for the records pertaining to the Spl.SC.No.4/2023 on the file of the Special Judge for Trial Cases under Prevention of Corruption cases, Tirunelveli and quash the same as far as this petitioner is concerned as illegal.

Prayer in CRL OP(MD) . 7573/ 2023 :

To call for the records pertaining to the Spl.S.C.No.6 of 2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli and quash the same as far as this petitioner as illegal.

Prayer in CRL OP(MD) . 7574/ 2023 :

To call for the records pertaining to the Spl SC No.7/2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli and quash the same as far as this petitioner as illegal.

Prayer in CRL OP(MD) . 7576/ 2023 :

To call for the records pertaining to the Spl.S.C.No.11 of 2023 on the file of Special Judge for Trial cases under Prevention of Corruption Cases, Tirunelveli and Quash the same as far as this petitioner as illegal.

Prayer in CRL OP(MD) . 7575/ 2023 :

To call for the records pertaining to the Spl SC No.10/2023 on the file of Special Judge for Trial Cases under Prevention of Corruption Cases, Tirunelveli and quash the same as far as this petitioner as illegal.

Order : These petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of Mr.AJMALKHAN, Senior counsel for M/S.AJMAL ASSOCIATES, for the petitioner in all the cases and of MR.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the 1st Respondent in all the cases, the Court made the following order:-

Heard the learned Senior Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

2. Considering the facts and circumstances, 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 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/-

24/04/2023

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/04/2023

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

CSM

TO

- 1 THE SPECIAL JUDGE FOR TRIAL
CASES UNDER PREVENTION OF CORRUPTION CASES,
TIRUNELVELI.
- 2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
KANNIYAKUMARI DETACHMENT @ NAGERCOIL,
KANNIYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CrI.M.P. (MD) Nos. 6618, 6622, 6623,
6624, 6626, 6628, 6630,
6634 and 6635 of 2023

in

CrI.O.P. (MD) Nos. 7568, 7572, 7570,
7569, 7571, 7573, 7574,
7576 and 7575 of 2023

Date : 24/04/2023

SS/BUC/SAR IV/28/04/2023/4P/4C