



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

Monday, the Second day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P(MD)No.14158 of 2022

and

Crl.O.P.(MD)No.20423 of 2022

1 SUNDARAM

2 VIMALA

3 ANNAM

... PETITIONERS/RESPONDENTS

Vs

1 RAJALAKSHMI

2 MINOR HARINI

(REP BY HER LEGAL GUARDIAN MOTHER)

...RESPONDENTS/PETITIONERS

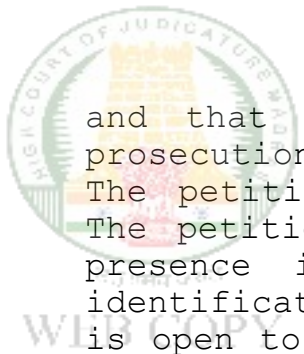
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with the personal appearance of the petitioner before the trial court in S.T.C No 3748 of 2022 pending on the file of the Additional Mahila court, (Magisterial Level) Trichy pending disposal of the main quash petition.

Prayer in CRL OP(MD). 20423/ 2022 :

To call for the entire records pertaining to the case in S.T.C No. 3748 of 2022 pending on the file of the Additional Mahila court, (Magisterial Level), Trichy 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 M/S.ANAND R, Advocate for the petitioner, the court made the following order:-

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/-

02/01/2023

/ TRUE COPY /

/01/2023

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

DAS

TO

- 1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, TRICHY.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

ORDER

IN

Crl.M.P (MD) No.14158 of 2022
and

Crl.O.P. (MD) No.20423 of 2022
Date :02/01/2023

PKP/MMS/SAR-2/05.01.2023/2P/3C