



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Fifth day of January Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P(MD)No.15602 of 2022

in

Crl.O.P.(MD)No.22119 of 2022

1 P.PRAKASH

2 C.PANDI

3 P.RANI

... PETITIONERS / PETITIONERS

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.319/2021)

2 V.M.KARUPPAIAH

... RESPONDENT / RESPONDENT

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 herein before the Learned Judicial Magistrate No.2, Usilampatti in PRC.No.2/2022, pending disposal of the above Crl.OP. Before this Hon'ble High Court.

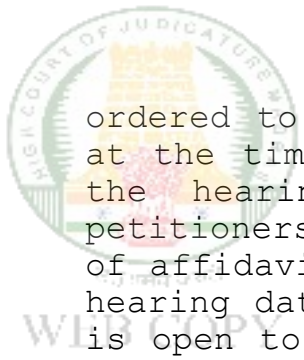
Prayer in CRL OP(MD). 22119/ 2022 :

To call for records pertaining to the PRC.No.2/2022 on the file of the Learned Judicial Magistrate No.2, Usilampatti and quash the proceedings as against the Petitioners herein.

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.SHANKAR GANESH R G, Advocate for the petitioner and of MR.R.SIVAKUMAR, Government Advocate on behalf of the 1st Respondent, the court made the following order:-

Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the first respondent.

2.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 furnishing copies, at the time of committal 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. 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/-
05/01/2023

/ TRUE COPY /

/01/2023

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
USILAMPATTI,
- 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P(MD)No.15602 of 2022
in
Crl.O.P.(MD)No.22119 of 2022
Date :05/01/2023

LR
MK/VR/SAR III(10.01.2023) 2P 5C