



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

Thursday, the Ninth day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.894 of 2023

IN

CRL OP(MD) NO.986 of 2023

S.N SRIDHAR

... PETITIONER/ACCUSED

Vs

THE STATE OF TAMIL NADU
REPRESENTED BY
THE DEPUTY DIRECTOR OF
INDUSTRIAL SAFETY AND HEALTH,
TURICORIN DISTRICT.

... RESPONDENT/COMPLAINANT

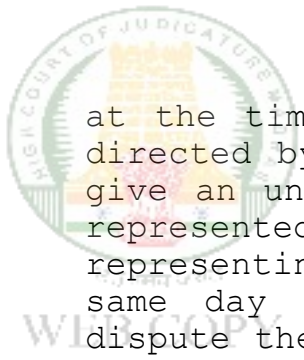
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to dispense with the personal appearance of the petitioner/accused in S.T.C.No.1601 of 2022 on the file of the Chief Judicial Magistrate, Thoothukudi pending disposal of the criminal original petition and grant such other further relieves as this Honble High Court deems fit and necessary in the nature and circumstances of the case and thus render justice.

Prayer in CRL OP(MD) NO.986 of 2023:-

To call for the records and quash the proceedings in S.T.C.No. 1601 of 2022 on the file of the Chief Judicial Magistrate, Thoothukudi in so far as the petitioner/accused and grant such other further relieves as this Honble High Court deems fit and necessary in the nature and circumstances of the case and thus render justice.

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 and of M/S.M.MUTHUMANIKKAM, Government Advocate (Crl.side) for the respondent, the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioner before the trial Court is ordered to be dispensed with, on conditions that he shall appear at the time of cross-examination, proceedings under Section 313 of Cr.P.C., and



at the time of passing judgment and on the hearings, specially directed by the trial court. The petitioner is further directed to give an undertaking in the form of affidavit that he 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 his 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 his 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/-
09/02/2023

/ TRUE COPY /

/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

TO

THE DEPUTY DIRECTOR OF
INDUSTRIAL SAFETY AND HEALTH,
TURICORIN DISTRICT.

ORDER
IN
CRL MP (MD) No.894 of 2023
IN
CRL MP (MD) No.986 of 2023
Date :09/02/2023

NA/BUC/SAR-2/14.02.2023/2P/2C