



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

Wednesday, the Eleventh day of January Two Thousand and Twenty  
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.490 of 2023  
in CRL OP.533 OF 2023

SYED IBRAHIM

... PETITIONER/ACCUSED NO.5

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,  
SPECIAL CELL FOR LAND GRABBING,  
RAMANATHAPURAM.

2 THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
RAMANATHAPURAM  
(CRIME NO.07/2018)

3 VASIYATHU RAGUMA

... RESPONDENTS/RESPONDENTS

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 the charge sheet in C.C.No.24 of 2022 on the file of Learned Special Court for Land Grabbing Cases, Ramanathapuram dated 04.11.2019 pending disposal of the above quash petition.

Prayer in CRL OP(MD). 533/ 2023 :

To call for the records relating to the charge sheet in C.C.No.24 of 2022 on the file of Learned Special Court for Land Grabbing Cases, Ramanathapuram dated 04.11.2019 and quash the same against this petitioner such further or other orders.

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.CHENGIZ KHAN.K, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor for Respondents 1 & 2 the court made the following order:-

Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.



2.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 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 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 him 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/-  
11/01/2023

/ TRUE COPY /

/01/2023

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

lr

TO

1 THE JUDGE,  
SPECIAL COURT FOR LAND GRABBING CASES,  
RAMANATHAPURAM.

2 THE DEPUTY SUPERINTENDENT OF POLICE,  
SPECIAL CELL FOR LAND GRABBING,  
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
RAMANATHAPURAM

4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN  
CRL MP(MD) No.490 of 2023  
in CRL OP.533 OF 2023  
Date :11/01/2023

TR/VR/SAR-I(24.01.2023) 2P 5C

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