



CRL MP(MD) No.2572 of 2024

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

Monday, the Twenty Third day of September Two Thousand and Twenty Four  
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR  
CRL MP(MD) No.2572 of 2024  
IN  
CRL OP(MD) No.3235 of 2024

1 SUBATHRA

2 SWATHYRATHNA

... PETITIONERS/PETITIONERS

Vs

1 THE INSPECTOR OF POLICE

AWPS THALLAKULAM POLICE STATION,  
MADURAI DISTRICT.

2 MUTHURATHI

... 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 wit the personal appearance of the Petitioners in CC.No.1977 of 2023 on the file Judicial Magistrate No.II, Additional Mahila Court, Madurai.

Prayer in CRL OP(MD). 3235/ 2024 :

To call for the records pertaining to proceedings in CC.No.1977 of 2023 on the file Judicial Magistrate No.II, Additional Mahila Court, Madurai for alleged offences U/s.498(A),4 of Dowry Prohibition Act,1961 and 406 of IPC, and quash the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.K.BAALA SUNDARAM, Senior Counsel for M/S.KBS LAW OFFICE for the petitioners and of MR.K.SANJAI GANDHI, Government Advocate (Crl.Side) on behalf of the 1<sup>st</sup> Respondent, the court made the following order:-

Heard the learned counsel appearing for the petitioners, the learned

Government Advocate (Crl.side) appearing for the first respondent and the learned



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counsel for the second respondent.

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2.Considering the facts and circumstances, 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 all 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/-

23/09/2024

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/10/2024

Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE NO.II, ADDITIONAL MAHILA COURT,  
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,  
THALLAKULAM POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.M/S.KBS LAW OFFICE, Advocate ( SR-11580[I] dated 23/09/2024 )

ORDER

IN

CRL MP(MD) No.2572 of 2024

IN

CRL OP(MD) No.3235 of 2024

Date :23/09/2024

RS/JGB/SAR-(10.10.2024) 3P 6C

Madurai Bench of Madras High Court is issuing  
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