



Crl.M.P(MD)No.8473 of 2024

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

Tuesday, the Twentieth day of August Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P(MD)No.8473 of 2024

and

Crl.O.P.(MD)No.13622 of 2024

KANCHANA @ KANJANADEV

... PETITIONER/PETITIONER

Vs

1 THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION VIRUDHUNAGAR,

VIRUDHUNAGAR.

CRIME NO.1/2017.

2 NAGALAKSHMI

... RESPONDENTS/RESPONDENTS

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Dispense with for personal appearance of the petitioner in C.C.NO.533 of 2022 on the file of Learned Judicial Magistrate No.II, Virudhuangar, pending disposal of the above Quash petition.

Prayer in CRL OP(MD). 13622/ 2024 :

To call for the records pertaining in C.c.No.533 of 2022 on the file of Learned Judicial MagistrateNO.II, Virudhunagar and quash the same as illegal 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.BANUMATHY.A, Advocate for the petitioner and of MR.K.SANJAI GANDHI, Government Advocate (Crl.side) on behalf of the Respondent No.1, the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of



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the petitioner before the trial Court is ordered to be dispensed with, on conditions that she 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 she 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 her 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 her 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/-
20/08/2024

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/08/2024
Sub-Assistant Registrar (CS-I/ III /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das



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TO
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- 1.THE JUDICIAL MAGISTRATE NO.II, VIRUDHUANGAR,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUANGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION VIRUDHUNAGAR,
VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P(MD)No.8473 of 2024
and
Crl.O.P.(MD)No.13622 of 2024
Date :20/08/2024

RK/JGB (24/08/2024) 3P / 5C

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