



CRL MP(MD) No.8037 of 2024

WEB COPY

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

Friday, the Ninth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.8037 of 2024

in

CRL OP(MD)No.13063 of 2024

MURUGESAN

... PETITIONER/PETITIONER/ A5

Vs

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH
TENKASI DISTRICT.
CRIME NO.8/2022.

... 1st RESPONDENT/1st RESPONDENT/
COMPLAINANT

2 MUHIDEEN ABDULKHADAR

... 2nd RESPONDENT/2nd RESPONDENT/
DEFACTO COMPLAINANT

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 the personal appearance of the petitioner in CC No.220/2023 on the file of Special Court for Exclusive Trial of Land Grabbing Cases II, Tirunelveli pending disposal of above Crl OP.

Prayer in CRL OP(MD). 13063/ 2024 :

To call for the records relating to the Final Report in CC No.220/2023 on the file of Special Court for Exclusive Trial of Land Grabbing Cases II, Tirunelveli and Quash the same in so far as this Petitioner as illegal.



CRL MP(MD) No.8037 of 2024

WEB COPY

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.ALTHAF SHERIFF, Advocate for M/S.AJMAL ASSOCIATES, for the petitioner and of Mr.K.SANJAI GANDHI, Government Advocate(Crl.side) on behalf of the 1st Respondent, the Court made the following order:-

Considering the facts and circumstances, 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 all 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 he is 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



CRL MP(MD) No.8037 of 2024

Supreme Court of India, *in State of Uttar Pradesh Vs. Shambunath Singh*, reported
in 2001 (4) SCC 667.

sd/-
09/08/2024

/ TRUE COPY /

/08/2024

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

DAS
TO

1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF LAND
GRABBING CASES-II, TIRUNELVELI.

2 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH
TENKASI DISTRICT.

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

+1 CC to M/s.M/S.AJMAL ASSOCIATES, Advocate (SR-9806[I] dated
12/08/2024)

ORDER
IN
CRL MP(MD) No.8037 of 2024
in
CRL OP(MD)No.13063 of 2024
Date :09/08/2024

SS/VR/SAR- /19/08/2024/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023