



Crl.M.P.(MD)No.8280 of 2024

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

Wednesday, the Fourteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.8280 of 2024

in

Crl.O.P.(MD)No.13353 of 2024

1 S.JAWAHAR

2 M.KUMERASAN

... PETITIONERS/PETITIONERS

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
SULAKKARAI,
VIRUDHUNAGAR.

2 THE INSPECTOR OF POLICE
VANNIYAMPATTI VILAKKU POLICE STATION,
VIRUDHUNAGAR.
CRIME NO.33 OF 2024.

...RESPONDENTS/COMPLAINANTS

3 VELRAJ

...3RD 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 appearance of the petitioners in Special S.C.No.63 of 2024 on the file of the Special Court for SC and ST (POA) act, Srivilliputtur, Virudhunagar District pending disposal of the above Criminal Original Petition.



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Prayer in CRL OP(MD). 13353/ 2024 :

To call for the records and Quash the charge sheet in Special S.C.NO.63 of 2024 on the file of the Special Court for SC and ST (POA) ACT, Srivilliputhur, in respect of Crime no.33 of 2024 dated 07.03.2024 on the file of the 1st Respondent.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.K.UDAYAKUMAR, Advocate for the petitioners and MR.K.SANJAI GANDHI, Government Advocate(Crl.side) for the 1st & 2nd Respondents, the court made the following order:-

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

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



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the event their presence is insisted by the trial judge for the purpose of identification.

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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/-

14/08/2024

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/08/2024

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

GNS

TO

1.THE SPECIAL JUDGE FOR SC AND ST (POA) ACT, SRIVILLIPUTHUR,

2 THE DEPUTY SUPERINTENDENT OF POLICE,
SULAKKARAI,
VIRUDHUNAGAR.

3 THE INSPECTOR OF POLICE
VANNIYAMPATTI VILAKKU POLICE STATION,
VIRUDHUNAGAR.

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



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ORDER

IN

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in

CrI.O.P.(MD)No.13353 of 2024

Date :14/08/2024

RK/JGB (23/08/2024) 4P / 5C

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