



CRL MP(MD) No.8441 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CrI.M.P.(MD)No.8441 of 2024

in

CrI.O.P.(MD)No.13609 of 2024

1 PANDI

2 LAKSHMI

(WRONGLY MENTIONED AS RAJATHI IN FIR INSTEAD
OF LAKSHMI)

3 NEELAKANDAN

4 SUMATHI

... PETITIONERS/ACCUSED NO.1 TO 4

Vs

1 THE INSPECTOR OF POLICE

THIRUPPARANKUNDRAM POLICE STATION,

MADURAI DISTRICT,

CRIME NO.587/2022

...RESPONDENT NO.1/COMPLAINANT

2 MARIYAMMAL

... RESPONDENT NO.2/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 petitioners in CC.No.1685/2023 on the file of the learned Judicial Magistrate Court VI, Madurai District till the disposal of the CrI.OP



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Prayer in CRL OP(MD). 13609/ 2024 :

To call for the entire records pertaining to the impugned charge sheet filed in CC.No.1685/2023 on the file of the learned Judicial Magistrate Court VI, Madurai District and quash the same

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 M/S.R.KARUNANIDHI, Advocate for the petitioners and of MR.K.SANJAI GANDHI, Government Advocate(Crl.side) for the 1st Respondent, 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 he 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



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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/-
28/08/2024

/ TRUE COPY /

/09/2024

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

gns

TO

1.THE JUDICIAL MAGISTRATE COURT VI,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
THIRUPPARANKUNDRAM POLICE STATION, MADURAI DISTRICT,

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



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ORDER

IN

CrI.M.P.(MD)No.8441 of 2024

in

CrI.O.P.(MD)No.13609 of 2024

Date :28/08/2024

RK/VR (03/09/2024) 4P / 5C

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