



CRL MP(MD) No.8910 of 2024

WEB COPY

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.8910 of 2024

IN

CRL OP(MD) No.14290 of 2024

GOVINDARAJAN

... PETITIONER/ ACCUSED NO.1

Vs

1 THE INSPECTOR OF POLICE

SINGAMPUNARI POLICE STATION,

SINGAMPUNARI TALUK, SIVAGANGAI DISTRICT.

(CRIME NO.134/2022).

...1ST RESPONDENT/ COMPLAINANT

2 HARITHA

... 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.102/2023 dated 4/11/2022 pending on the file of the Learned District Munsif cum Judicial Magistrate Court, Singampunari, Sivagangai District.

Prayer in CRL OP(MD). 14290/ 2024 :

To call for the entire records pertaining to the CC No.102/2023 dated 4/11/2022

<https://www.mhc.tn.gov.in/judis>



**CRL MP(MD) No.8910 of 2024**

pending on the file of the learned District Munsif cum Judicial Magistrate Court, Singampunari, Sivagangai District and quash the same as illegal as against the petitioner.

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.C.M. ARUMUGAM, 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 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 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 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 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



CRL MP(MD) No.8910 of 2024

appearance and deal with the petitioner in accordance with the judgment of Supreme  
WEB COPY  
Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in 2001 (4)  
SCC 667.

sd/-  
30/08/2024

/ TRUE COPY /

/09/2024

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

das

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
SINGAMPUNARI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE  
SINGAMPUNARI POLICE STATION,  
SINGAMPUNARI TALUK, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.C.M.ARUMUGAM, Advocate ( SR-10625[I] dated 30/08/2024 )

ORDER IN

CRL MP(MD) No.8910 of 2024  
IN CRL OP(MD) No.14290 of 2024  
Date :30/08/2024

RK/ED (05/09/2024) 3P / 6C

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

<https://www.mhc.tn.gov.in/judis>