



CRL MP(MD) No.9055 of 2024

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

Tuesday, the Third day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9055 of 2024

in

CRL OP(MD) No.14534 of 2024

1 GANESAN

2 JAMAL MOHAMMED

... Petitioner / Petitioner

Vs

1 THE INSPECTOR OF POLICE
PULITHIPATTI POLICE STATION,
SIVAGANGAI DISTRICT.

2 KARUNANIDHI
INFORMANT AND INVESTIGATION OFFICER,
PULITHIPATTI POLICE STATION,
SIVAGANGAI DISTRICT.

... 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 the personal appearance of the petitioners in PRC No. 12/2023 Learned Judicial Magistrate, Singampunari, Sivagangai District pending disposal of the main quash petition.

Prayer in CRL OP(MD). 14534/ 2024 :

To call for the records relating to the proceedings in PRC No. 12/2023 Learned Judicial Magistrate, Singampunari, Sivagangai District and quash the same



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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 M/S. ARUN SWAMINATHAN.RM, Advocate for the petitioner and of Mr.K.SANJAI GANDHI, Government Advocate (Crl. Side) on behalf of the 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 respondents.

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



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3.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/-
03/09/2024

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/09/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Judicial Magistrate,
Singampunari,
Sivagangai District.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Pulithipatti Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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in

CRL OP(MD) No.14534 of 2024

Date :03/09/2024

ED/ SG /SAR- (13/09/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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