



Crl.M.P.(MD)No.9390 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.9390 of 2024

in

Crl.O.P.(MD)No.15008 of 2024

1 RAJENDRAN

2 THENMOZHI

... PETITIONERS/PETITIONERS

Vs

1 THE INSPECTOR OF POLICE
DCB, POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.8 OF 2023.

2 PORPAVAI

... 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 C.C No. 271/2023 on the file of the Judicial Magistrate No.I, Thanjavur at present

Prayer in CRL OP(MD). 15008/ 2024 :

To call for the records pertaining to the charge sheet in C.C No. 271/2023 on the

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



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file of the Judicial Magistrate No.I, Thanjavur in Crime No. 8 of 2023 for alleged offences u/s 406 and 420 of IPC and quash the same.

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.A.ARUL JENIFER, Advocate for M/S.KBS LAW OFFICE, 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:-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal 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 the event their presence are insisted by the trial judge for the purpose of



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identification. If the petitioners adopts 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/-
10/09/2024

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

CSM
TO

1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
DCB, POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.M/S.KBS LAW OFFICE, Advocate (SR-11206[I] dated 11/09/2024)



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ORDER
IN
Crl.M.P.(MD)No.9390 of 2024
in
Crl.O.P.(MD)No.15008 of 2024
Date :10/09/2024

SA/SG/SAR. /25.09.2024/4P/6C

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