



CRL MP(MD) No.9209 of 2024

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

Thursday, the Fifth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9209 of 2024
in
CRL OP(MD) No.14731 of 2024

1 KANAGARAJU

2 PRAPAKAR @ PRABHAKARAN

3 NAVANEETHAN @ NAVANEETHAM

4 KANAGAVALLI @ KANAGA ... Petitioners / Accused No.1 to 4

Vs

1 THE INSPECTOR OF POLICE
THUVARANKURICHI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.179/2022).

... 1st Respondent / Complainant

2 KANNADHASAN

... 2nd Respondent / Defacto Compainant

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 before the trial court of the Impugned Charge Sheet in STC No.1131/2023 on the file of the Learned Judicial Magistrate Court, Manapparai, Trichy District in connection with Crime No.179/2022 on the file of the 1st Respondent police pending disposal of the above quash petition.



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Prayer in CRL OP(MD). 14731/ 2024 :

To call for the records pertaining to the case registered in Impugned Charge Sheet in STC No.1131/2023 on the file of the Learned Judicial Magistrate, Manapparai, Trichy District in connection with Crime No.179/2022 on the file of the 1st Respondent police and quash the same in so far as this petitioners concern.

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.B.ARUN, Advocate for the petitioners and of Mr.K.SANJAI GANDHI, Government Advocate (Crl. side) on behalf of the Respondent, the Court made the following order:-

Considering the facts and circumstances of the case, 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 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. 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



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accordance with the judgment of Supreme Court of India, in State of Uttar Pradesh

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Vs. Shambunath Singh, reported in 2001 (4) SCC 667.

sd/-
05/09/2024

/ TRUE COPY /

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

DAS

To

1.The Judicial Magistrate,
Manapparai, Trichy District.

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

3.The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.

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

+1 CC to M/s.B.ARUN, Advocate (SR-10994[I] dated 06/09/2024)

ORDER

IN

CRL MP(MD) No.9209 of 2024

in

CRL OP(MD) No.14731 of 2024

Date :05/09/2024



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ED/SG /SAR- (13/09/2024) 4P / 6C

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