



CRL MP(MD) No.9308 of 2024

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

Friday, the Sixth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9308 of 2024  
in  
CRL OP(MD) No.14856 of 2024

1 VASANTHA

2 SHANTHI

3 MALATHI

... Petitioners / Petitioners

Vs

1 THE STATE OF TAMIL NADU  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
SIVAGANGAI,  
SIVAGANGAI DISTRICT.  
(CRIME NO. 11 OF 2022)

2 S.KAYAL

... 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 petitioner in C.C No. 26 of 2024 on the file of the Additional Mahila court, Sivagangai pending disposal of the above Crl O.P



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Prayer in CRL OP(MD). 14856/ 2024 :

To call for the records relating to the impugned charge sheet in C.C No. 26 of 2024 on the file of the Additional Mahila court, Sivagangai and quash the same as against these petitioners.

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.K.RAJESHWARAN, Advocate for the petitioners and of Mr.K.SANJAI GANDHI, Government Advocate (Crl. side) on behalf of the Respondent No.1, 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 identification. If the petitioners adopts any dilatorial tactics, it is open to the Trial



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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/-  
06/09/2024

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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 Judge,  
Additional Mahila Court,  
Sivagangai.

2.The Inspector of Police,  
All Women Police Station,  
Sivagangai, Sivagangai District.

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

ORDER  
IN  
CRL MP(MD) No.9308 of 2024  
in  
CRL OP(MD) No.14856 of 2024  
Date :06/09/2024



CRL MP(MD) No.9308 of 2024

ED/SG<sup>s</sup> /SAR- (13/09/2024) 4P / 4C

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