



CRL MP(MD) No.9565 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Eleventh day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9565 of 2024

in

CRL OP(MD) No.15265 of 2024

1 MANMOHAN KUMAR PUNIA
TEJ RAM DHARAM PAUL PVT LTD.,
VILLAGE NATHANUPUR,
SONEPAT, HARYANA STATE
(AUTHORISED SIGNATORY)

2 TEJ RAM DHARAM PAUL PVT. LTD
VILLAGE NATHANPUR,
SONEPAT,
HARIYANA STATE.

... PETITIONERS/ ACCUSED NO.3, 4

Vs

FOOD SAFETY OFFICER,
CODE NO. 275,
TAMILNADU FOOD AND SAFETY AND MEDICINE
ADMINISTRATIVE DEPARTMENT,
GOVERNMENT HOSPITAL QUARTERS BUILDING,
M.ALANGULAM,
MELANELEDHA NALLUR TALUK,
ALANKULAM,
TENKASI DISTRICT - 627 881.

... RESPONDENT/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

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with the personal appearance of petitioner/ Accused No.3 herein, in connection with case STC No. 323 of 2022 on the file of the Judicial Magistrate, Alangulam, Tenkasi District pending disposal of the above said quash petition.

Prayer in CRL OP(MD). 15265/ 2024 :

To call for the records pertaining to the case S.T.C. No.323 of 2022 on the file of the Judicial Magistrate, Alangulam, Tenkasi District and quash the same as against these petitioners and devoid of merits.

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.K.JAYABALAN, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor 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 accordance with the judgment of



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Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in

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2001 (4) SCC 667.

sd/-

11/09/2024

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/09/2024

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

TO

1 THE JUDICIAL MAGISTRATE, ALANGULAM, TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 FOOD SAFETY OFFICER, CODE NO. 275,
TAMILNADU FOOD AND SAFETY AND MEDICINE
ADMINISTRATIVE DEPARTMENT,
GOVERNMENT HOSPITAL QUARTERS BUILDING,
M.ALANGULAM, MELANELEDHA NALLUR TALUK,
ALANKULAM, TENKASI DISTRICT - 627 881.

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

+1 CC to M/s.K.JAYABALAN, Advocate (SR-11175[I] dated 11/09/2024)

ORDER

IN

CRL MP(MD) No.9565 of 2024

in

CRL OP(MD) No.15265 of 2024

Date :11/09/2024

RS/SG/SAR-(18.09.2024) 3P 6C

Madurai Bench of Madras High Court is issuing
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