



CRL MP(MD) No.9781 of 2024

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

Wednesday, the Eighteenth day of September Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9781 of 2024

in

CRL OP(MD)No.15614 of 2024

1 MURUGANANTHAM

2 INDIRA

3 SEBASTHIYAN

... PETITIONERS/PETITIONERS

Vs

CHARLES ARIYAMALAR
POWER OF ATTORNEY HOLDER OF
JENI PADMANBHAN,

... RESPONDENT/RESPONDENT

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 each and every hearings of case proceedings of C.C.No. 30 of 2020 on the file of the Judicial Magistrate Court, Devakottai, Sivagangai District.

Prayer in CRL OP(MD). 15614/ 2024 :

To call for the records of proceedings of C.C.No. 30 of 2020 on the file of the Judicial Magistrate Court, Devakottai, Sivagangai District 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 Mr.MURUGAPPAN.R, Advocate for the petitioner, the Court made the following order:-

Heard the learned counsel appearing for the petitioners.



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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 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/-
18/09/2024

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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



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TO
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1 THE JUDICIAL MAGISTRATE
DEVAKOTTAI, SIVAGANGAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-11410[I] dated 19/09/2024)

ORDER
IN
CRL MP(MD) No.9781 of 2024
in
CRL OP(MD)No.15614 of 2024
Date :18/09/2024

SS/VR/SAR- /24/09/2024/3P/4C

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