



CRL MP(MD) No.9638 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9638 of 2024

in

CRL OP(MD) No.15411 of 2024

1 ARUNACHALAM MURUGIAH RAJESHWARI
@ RAJESHWARI

2 B. SUNDARARAJAN

... Petitioners / Petitioners /
Accused No.2 & 3

Vs

THE DRUG INSPECTOR
KARUR RANGE,
O/O. THE ASSISTANT DIRECTOR OF DRUGS CONTROL,
TRICHY WEST ZONE,
TRICHY
(CRIME NO. 259 OF 2023)

... Respondent / 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 with the personal appearance of the petitioners in proceedings of the complaint in C.C.No. 259 of 2023 on the file of the learned Judicial Magistrate No. I, Karur.



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Prayer in CRL OP(MD). 15411/ 2024 :

To call for the records pertaining to proceedings of the Complaint in C.C.No. 259 of 2023 on the file of the learned Judicial Magistrate No. I, Karur and quash the same as illegal as far as against these petitioner concerned.

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. JOEL PAUL ANTONY.A., Advocate for the petitioners and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent, the Court made the following order:-

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the 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/-
12/09/2024

/ TRUE COPY /

/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,
Karur.
- 2.Do through the Chief Judicial Magistrate,
Karur District.
- 3.The Drug Inspector,
Karur Range,
O/o.The Assistant Director of Drugs Control,
Trichy West Zone,
Trichy-03.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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in

CRL OP(MD) No.15411 of 2024

Date :12/09/2024

ED/ JGB /SAR- (23/09/2024) 4P / 5C

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