



CRL MP(MD) No.9807 of 2024

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

Tuesday, the First day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.9807 of 2024  
in  
CRL OP(MD) No.15642 of 2024

1 NARMATHA

2 CHINNUSAMY @ CHINNATHAMBI

... Petitioners 1 & 2 /  
Accused No.7 & 8

Vs

1 THE STATE OF TAMIL NADU  
REP BY THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH POLICE STATION,  
TIRUCHIRAPPALLI.  
(CRIME NO. 12/2021)

... 1<sup>st</sup> Respondent / Complainant

2 MALATHI

... 2<sup>nd</sup> Respondent /  
Defacto 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 before the learned Judicial Magistrate NO.I, Trichy westin C.C No. 1214 of 2022.



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Prayer in CRL OP(MD). 15642/ 2024 :

To call for the records relating to the impugned charge sheet in C.C No. 1214 of 2022 on the file of the learned Judicial Magistrate No.1, Trichy 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.G.KARUPPASAMY PANDIAN, Advocate for M/s.S.PARTHIBAN, 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:-

Considering the facts and circumstances of the case, the personal appearance of the second petitioner before the trial Court is ordered to be dispensed with, on conditions that he 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 petitioner is further directed to give an undertaking in the form of affidavit that he will be duly represented by a counsel on all hearing dates and that the Counsel representing him will cross examine the prosecution witnesses on the same day they are examined in chief. The petitioner shall not dispute the identity of the witnesses. The petitioner shall appear before the Court in the event his presence is insisted by the trial judge for the purpose of identification. If the petitioner adopts any dilatorial tactics, it is open to the Trial Court to insist for his appearance and deal with the petitioner in accordance with



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the judgment of Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath

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Singh, reported in 2001 (4) SCC 667.

sd/-  
01/10/2024

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/10/2024

Sub-Assistant Registrar  
(C.S.I /II /III /IV )

Madurai Bench of Madras High Court,  
Madurai - 625 023.

DAS

To

1.The Judicial Magistrate No.I,  
Trichy.

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

3.The Inspector of Police,  
City Crime Branch Police Station,  
Tiruchirappalli.

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

ORDER

IN

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in

CRL OP(MD) No.15642 of 2024

Date :01/10/2024



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ED/JGB /SAR- (09/10/2024) 4P / 5C

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