



Crl.M.P.(MD)No.10115 of 2024

WEB COPY

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.10115 of 2024

in

Crl.O.P.(MD)No.16061 of 2024

1 D.GANESHKUMAR
BAKIYAM RESTAURANT,
SATHYA PARK AND RESORTS PVT. LTD.,
(FSSAI 12417032000598)
1/1928, E AND F, NATIONAL HIGHWAY,
SRI SOWDAMBIGAI ENGINEERING COLLEGE,
ARUPPUKOTTAI.

2 JOHN SATHYA (PARTNER-1)
SATHYA PARK AND RESORTS PVT. LTD.,
(FSSAI 12417032000598)
370A, PALAYAMKOTTAI MAIN ROAD,
THOOTHUKUDI- 2.

3 JOHNSON (PARTNER-2)
SATHYA PARK AND RESORTS PVT. LTD.,
(FSSAI 12417032000598)
370A, PALAYAMKOTTAI MAIN ROAD,
THOOTHUKUDI -2.

4 CHARLES BAKIYARAJ (PARTNER-3)
SATHYA PARK AND RESORTS PVT. LTD.,
370A, PALAYAMKOTTAI MAIN ROAD,
THOOTHUKUDI -2.



Crl.M.P.(MD)No.10115 of 2024

5 GNANA CHRISTY (PARTNER -4)
SATHYA PARK AND RESORTS PVT. LTD.,
370A, PALAYAMKOTTAI MAIN ROAD,
THOOTHUKUDI -2.

6 JEYAPAL JEMINA SOPHIA (PARTNER-5),
SATHYA PARK AND RESORTS PVT. LTD.,
370A, PALAYAMKOTTAI MAIN ROAD,
THOOTHUKUDI -2.

7 SAMUTHIRAM VANAJA (PARTNER -6),
SATHYA PARK AND RESORTS PVT. LTD.,
370A, PALAYAMKOTTAI MAIN ROAD,
THOOTHUKUDI -2.

... PETITIONERs/ ACCUSED 1 TO 7

Vs

THE FOOD SAFETY OFFICER
OFFICE OF FOOD SAFETY OFFICER,
PANCHAYAT UNION OFFICE CAMPUS,
ARUPPUKOTTAI.

... 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/accused No.1 to 7 in STC No. 133 of 2024 on the file of the Judicial Magistrate, Aruppukottai pending disposal of the criminal original petition.

Prayer in Crl.OP(MD).16061/2024:

To call for the records and quash the proceedings in STC No. 133 of 2024 on the file of the Judicial Magistrate, Aruppukottai in so far as the petitioners.

ORDER : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.RAJARAMAN, Advocate for the petitioners and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of



Crl.M.P.(MD)No.10115 of 2024

the Respondent, the court made the following order:-

WEB COPY

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 Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in 2001 (4) SCC 667.

sd/-
25/09/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Crl.M.P.(MD)No.10115 of 2024

DAS

TO

1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE FOOD SAFETY OFFICER
OFFICE OF FOOD SAFETY OFFICER,
PANCHAYAT UNION OFFICE CAMPUS, ARUPPUKOTTAI.

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

ORDER IN
Crl.M.P.(MD)No.10115 of 2024
in
Crl.O.P.(MD)No.16061 of 2024
Date :25/09/2024

SA/JGB/SAR. /01.10.2024/4P/5C

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