



Crl.M.P(MD)No.10196 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.M.P(MD)No.10196 of 2024

in

Crl.O.P.(MD)No.16197 of 2024

S.VANCHI NATHAN

... Petitioner / Petitioner

Vs

**1 THE STATE OF TAMILNADU
REP BY THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.
CRIME NO. 1071 OF 2020.**

**2 M.RAJKUMAR
SUB INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.**

... Respondents/ Respondents

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 petitioner in the pending trial in C.C.No.483/2021 pending before the Learned Judicial Magistrate-VI, Madurai in connection with cr.No.1071 of 2020 dated 31.05.2020 for the offences U/s.153,504, 505 (1) (b), 506 (1) of IPC on the file of 1st Respondent till the disposal of the Criminal Original Petition.



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Prayer in CRL OP(MD). 16197/ 2024 :

To call for the records in C.C.No.483 of 2021 pending before the Learned Judicial Magistrate-VI, Madurai in connection with cr.No.1071 of 2020 dated 31.05.2020 for the offences under Sections 153,504,505(1)(b),506(1) of IPC on the file of the 1st respondent

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.G.PRABHU RAJADURAI, Advocate for the petitioner and of M/s.K.SANJAI GANDHI, Government Advocate (Crl.Side) on behalf of the Respondents the Court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the 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 the judgment of Supreme



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Court of India, in State of Uttar Pradesh Vs. Shambunath 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.VI, MADURAI

2. DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.

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

ORDER
IN
Crl.M.P(MD)No.10196 of 2024
in
Crl.O.P.(MD)No.16197 of 2024
Date :01/10/2024



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PSP/ MMS /SAR /09.10.2024/ 4P/ 5C

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