



CRL MP(MD) No.10773 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Thursday, the Seventeenth day of October Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL MP(MD) No.10773 of 2024
in
CRL OP(MD) No.17230 of 2024

RAJAPPA

... Petitioner / Petitioner

Vs

1 THE INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.

2 R GOPAL

... 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 personal appearance of petitioners in C.C.No.184 of 2022 on the file of Learned Judicial Magistrate Court No.II dindigul, at present.

Prayer in CRL OP(MD). 17230/ 2024 :

To call for the records pertaining to C.C.No. 184 of 2022 on the file of Learned Judicial Magistrate Court No. II, dindigul , for alleged offences Under Sections 4A (1b) and 4 B of Tamilnadu open places prevention of Disfigurement Act, 1959, and quash the same as so far as the petitioners are 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.A.ARULJENIFER, Advocate for the petitioner and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent No.1, the Court made the following order:-

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



CRL MP(MD) No.10773 of 2024

WEB COPY

of the petitioner before the trial Court is ordered to be dispensed with, on conditions that she 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 she will be duly represented by a counsel on all hearing dates and that the Counsel representing her 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 her 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 her appearance and deal with the petitioner 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/-
17/10/2024

/ TRUE COPY /

/10/2024

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

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

DAS



CRL MP(MD) No.10773 of 2024

To **सर्वोच्च न्यायालय**

WEB COPY

1.The Judicial Magistrate No.II,
Dindigul.

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

3.The Inspector of Police,
Town North Police Station,
Dindigul District.

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

ORDER
IN
CRL MP(MD) No.10773 of 2024
in
CRL OP(MD) No.17230 of 2024
Date :17/10/2024

ED/JGB /SAR- (24/10/2024) 3P / 5C

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