



CRL MP(MD) No.10792 of 2024

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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.10792 of 2024
in
CRL OP(MD) No.17413 of 2024

1 NAGARAJAN

2 THANDAPANDI

3 RAJAPPA

4 MALAISAMY

5 AGBAR

6 SARAVANAN

7 KANNAN

8 BILAL USAIN

9 SUSAI RABERT

10 ALAGARSAMY

11 ELANGO VAN

12 KIRUBAKARAN

... Petitioners / Petitioners



CRL MP(MD) No.10792 of 2024

Vs

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

2 MARIMUTHU

... 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 petitioners in C.C.No.605 of 2017 on the file of Learned Judicial Magistrate Court No-II, Dindigul at present.

Prayer in CRL OP(MD). 17413/ 2024 :

To call for the records pertaining to C.c.No. 605 of 2017 on the file of Learned Judicial Magistrate Court No.II, Dindigul, for alleged offences under sections 143, 188 and 341 of IPC, 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 petitioners 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 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



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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/-
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

To

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.



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

ORDER
IN
CRL MP(MD) No.10792 of 2024
in
CRL OP(MD) No.17413 of 2024
Date :17/10/2024

ED/ JGB /SAR- (24/10/2024) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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