



CRL MP(MD) No.10811 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.10811 of 2024

IN

CRL OP(MD) No.17437 of 2024

M.ANANTHAKUMAR

... PETITIONER/ ACCUSED 11

Vs

1 THE INSPECTOR OF POLICE,
ANTI LAND GRABBING SPECIAL CELL,
DINDIGUL,
DINDIGUL DISTRICT.
CRIME NO. 19/2012

... 1st RESPONDENT/COMPLAINANT

2 S.P.RAMAMOORTHY

... 2nd 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 petitioner in C.C no. 51/2021 on the file of the learned Judicial Magistrate No.II, Dindigul pending disposal of the above Criminal Original Petition.

Prayer in CRL OP(MD). 17437/ 2024 :

To call for the records in connection with the impugned charge sheet in C.C no.

<https://www.mhc.tn.gov.in/judis>



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51/2021 on the file of the learned Judicial Magistrate No.II, Dindigul and quash the same in so far as the petitioner is 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 Mr.S.SARVAGAN PRABHU, Advocate for the petitioner and of Mr.K.SANJAI GANDHI, Government Advocate(crl.side) on behalf of the 1st Respondent, 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 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



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

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SCC 667.

sd/-
21/10/2024

/ TRUE COPY /

/11/2024
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.

3 THE INSPECTOR OF POLICE,
ANTI LAND GRABBING SPECIAL CELL,
DINDIGUL, DINDIGUL DISTRICT.

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

ORDER IN
CRL MP(MD) No.10811 of 2024
IN
CRL OP(MD) No.17437 of 2024
Date :21/10/2024

SA/JGB/SAR. /04.11.2024/3P/5C

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