



CRL MP(MD) No.11148 of 2024

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

Wednesday, the Twenty Third day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.11148 of 2024

in

CRL OP(MD) No.18023 of 2024

1 KUMAR T.K. @ KRISHNAKUMAR

2 SEETHAIYAMMAL

3 BUVI @ BUVANA

... PETITIONERS/PETITIONERS

Vs

1 THE SUB INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.
CRIME NO. 220/2023.

2 SANTHANAKRISHNAN

... 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 petitioners C.C.No. 534 of 2023 on the file of the Judicial Magistrate Court, Vadipatty till the disposal of the Criminal Original Petition.

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



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Prayer in CRL OP(MD). 18023/ 2024 :

To call for the entire records pertaining to the charge sheet filed in C.C.No. 534 of 2023 on the file of the Judicial Magistrate Court, Vadipatty and quash the same as illegal.

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.A.AJMALKHAN, Advocate for the petitioner and of Mr.P.KOTTAI CHAMY, 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 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 adopts any dilatorial tactics, it is open to the Trial Court to insist for



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their appearance and deal with the petitioners in accordance with the judgment of
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Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in
2001 (4) SCC 667.

sd/-
23/10/2024

/ 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,
VADIPATTY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-13214[I] dated 25/10/2024)



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ORDER

IN

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Date :23/10/2024

SA/JGB/SAR. /05.11.2024/4P/6C

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