



CRL MP(MD) No.11077 of 2024

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

Tuesday, the Twenty Second day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.11077 of 2024
in
Crl.O.P.(MD)No.17938 of 2024

1 MANIMARAN

2 JEYAKUMAR

3 MADHU

4 ANAND

5 SAROJA

... PETITIONERS/
ACCUSED 1 TO 5

Vs

1 THE STATE OF TAMIL NADU
REP BY THE INSPECTOR OF POLICE,
WATRAP POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.113 OF 2022.

...1ST RESPONDENT/COMPLAINANT

2 BHARATHI USHA

... 2ND RESPONDENT/
DEFACTO COMPLAINANT

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



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Appearance of the petitioners herein in C.C.No.63 of 2024 on the file of the learned Additional mahila court, Srivilliputhur and thus render justice.

Prayer in CRL OP(MD). 17938/ 2024 :

To call for the records relating to the case in C.C.No.63 of 2024 on the file of the Learned Additional Mahila Court, Srivilliputhur in Crime No.113 of 2022 on the file of the Inspector of Police, Watrap police Station, virudhunagar district and quash the same as illegal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.M.KANNAN, Advocate for the petitioners and of MR.K.SANJAI GANDHI, Government Advocate (Crl.side) on behalf of the Respondent NO.1, the court made the following order:-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent.

2. Considering the facts and circumstances, 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 all 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



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dispute the identity of the witnesses. The petitioners shall appear before the Court in the event their presence are 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 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/-
22/10/2024

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/10/2024

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

csm

TO

1.THE JUDGE, ADDITIONAL MAHILA COURT, SRIVILLIPUTHUR

2.THE INSPECTOR OF POLICE,
WATRAP POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.M.KANNAN, Advocate (SR-13111[I] dated 24/10/2024)



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ORDER
IN
Crl.M.P.(MD)No.11077 of 2024
in
Crl.O.P.(MD)No.17938 of 2024
Date :22/10/2024

RK/SVR (28/10/2024) 4P / 5C

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