



CRL MP(MD) No.10995 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.M.P(MD)No.10995 of 2024

and

Crl.O.P.(MD)No.17752 of 2024

JEYARAMAN

... Petitioner / Petitioner / Accused No. 7

Vs

1 THE STATE OF TAMILNADU
REP. BY THE INSPECTOR OF POLICE,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.CRIME NO. 5/2024.

2 KALAISELVI

... 2nd Respondent / 2nd Respondent /
De-facto 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 Spl.S.C.No. 99/2024 on the file of the Special Court for Exclusive Trial cases under POCSO Act, Theni pending disposal of the above Crl.O.P

Prayer in CRL OP(MD). 17752/ 2024 :

To call for the records pertaining to the Charge Sheet in Spl.S.C.No. 99/2024 on the file of the Special Court for Exclusive Trial cases under POCSO Act, Theni and quash the same as illegal in so far as this 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 M/s.M.AJMAL KHAN, Senior Counsel for Ajaml Associates for the petitioner and of M/s.K.SANJAI GANDHI, Government Advocate (Crl. Side) on behalf of the Respondents the court made the following order:-



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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 Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in 2001 (4) SCC 667.

sd/-
21/10/2024

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/ 10 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1. THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL CASES UNDER POCSO ACT, THENI

2 THE INSPECTOR OF POLICE,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CrI.M.P(MD)No.10995 of 2024

and

CrI.O.P.(MD)No.17752 of 2024

Date :21/10/2024

PSP/ SVR /SAR /29.10.2024/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified
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