



Crl.M.P.(MD)No.11579 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.11579 of 2024

in

Crl.O.P.(MD)No.18668 of 2024

1 SAILANATHAN

2 VIJAYALAKSHMI

3 A.S.DURAIRAJ

... PETITIONERS/PETITIONERS

Vs

1 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION (L AND O),  
RAMANATHAPURAM DISTRICT,  
RAMANATHAPURAM.  
(CRIME NO. 6/2024)

2 SHALINI DEVI

... 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 in charge sheet in C.C No. 97/2024 on the file of the Learned Judicial Magistrate cum Additional Mahila court, Ramanathapuram in so far as these petitioners are concerned pending disposal of main Criminal Original Petition.



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Prayer in CRL OP(MD). 18668/ 2024 :

To call for the records relating to the proceedings of the impugned charge sheet in C.C No. 97/2024 on the file of the learned Judicial Magistrate cum Additional Mahila court, Ramanathapuram and quash the same in so far as these 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 Mr.G.PRABHU RAJADURAI, Advocate for the petitioner and of Mr.K.SANJAI GANDHI, Government Advocate(crl.side) on behalf of the 1<sup>st</sup> Respondent, 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 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



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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/-  
30/10/2024

/ TRUE COPY /

/11/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

CSM  
TO  
1 THE JUDICIAL MAGISTRATE CUM  
ADDITIONAL MAHILA COURT, RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION (L AND O),  
RAMANATHAPURAM DISTRICT,  
RAMANATHAPURAM.

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

ORDER IN  
Crl.M.P.(MD)No.11579 of 2024  
in Crl.O.P.(MD)No.18668 of 2024  
Date :30/10/2024

SA/JGB/SAR. /07.11.2024/3P/5C

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