



Crl.M.P.(MD)No.11542 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.11542 of 2024

in

Crl.O.P(MD)No.18576 of 2024

M.SARAVANAN

... Petitioner / Petitioner

Vs

1 THE STATE OF TAMILNAU
REP. BY THE INSPECTOR OF POLICE,
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT,
RAMANATHAPURAM.
CRIME NO. 320/2020.

2 V. MANIKANDAN

... 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.8/2022 before the Learned Judicial Magistrate Court, Paramakudii in so far as the petitioner is concerned pending disposal of the main Crl.O.P.



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Prayer in CRL OP(MD). 18576/ 2024 :

To call for the records of the impugned Charge Sheet in C.C.No.8/2022 before the Learned Judicial Magistrate Court, Paramakudi and quash the same in so far as the petitioner is concerned and to pass such further or other orders.

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.G.PRABHU RAJADURAI, Advocate 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:-

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/-
29/10/2024

/ 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, PARAMAKUDI
2. DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT,
RAMANATHAPURAM.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

Crl.M.P.(MD)No.11542 of 2024

in

Crl.O.P(MD)No.18576 of 2024

Date :29/10/2024



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PSP/ MMS /SAR /06.11.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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