



Crl.M.P(MD)No.12043 of 2024

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

Tuesday, the Twelfth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P(MD)No.12043 of 2024
in Crl.O.P(MD)No.19515 of 2024

MAHENDRAN

... PETITIONER/PETITIONER

Vs

UMA MAHESWARI

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to dispense with appearance of the petitioner / Accused before the Fast Track Court at Magistrate Level, Karaikudi, Sivagangai District in C.C.No.53/2023 pending disposal of the Criminal Original Petition.

Prayer in CRL OP(MD). 19515/ 2024 :

To call for the records in the case in C.c.No.53 of 2023 on the file of the Fast Track Court at Magistrate Level, Karaikudi, Sivagangai District and Quash the same as illegal, violation of law and an abuse process law.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. JOTHI BASU.M, Advocate for the petitioner, while admitting the Criminal Original Petition the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioner in C.C.No.53 of 2023 on the file of the Fast Track Court at Magistrate



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Level, Karaikudi, Sivagangai District, is ordered to be dispensed with, on condition that he 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 he will be duly represented by a counsel on all hearing dates and that the Counsel representing him 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 his presence is insisted by the trial judge for the purpose of identification. If the petitioner adopt any dilatorily tactics, it is open to the Trial Court to insist for his 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/-
12/11/2024

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/11/2024

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

CM



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TO
THE JUDGE, FAST TRACK COURT AT MAGISTRATE LEVEL, KARAIKUDI,
SIVAGANGAI DISTRICT

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-14011[I] dated 14/11/2024)

ORDER
IN
Crl.M.P(MD)No.12043 of 2024
in Crl.O.P(MD)No.19515 of 2024
Date :12/11/2024

RK/VR (27/11/2024) 3P / 3C
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