



Crl.M.P.(MD)No.12073 of 2024

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

Wednesday, the Thirteenth day of November Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

Crl.M.P.(MD)No.12073 of 2024

in

Crl.O.P.(MD)No.19562 of 2024

1 V.JEYARANI

2 R.VARATHARAJ

3 V.ANBURAJ

4 VA.SHANMUGARAJ

... PETITIONERS/PETITIONERS

Vs

K.A.ARUMUGAM

... RESPONDENT/RESPONDENT

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 petitioners/accused No.3 to 6 in CC No.251/2024 on the file of Learned Judicial Magistrate No.II, Sivagangai.

Prayer in CRL OP(MD). 19562/ 2024 :

To call for the records in CC No.251/2024 on the file of the Learned Judicial

<https://www.mhc.tn.gov.in/judis>



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Magistrate No.II, Sivaganga and Quash the same and pass such further or other orders as this Hon'ble Court.

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.R.SUNDAR SRINIVASAN, Advocate for the petitioner, the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioners in C.C. No.251 of 2024 on the file of the learned Judicial Magistrate No.II, Sivagangai is ordered to be dispensed with, on condition 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 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 is insisted by the trial judge for the purpose of identification. If the petitioners adopt any dilatorily tactics, it is open to the Trial Court to insist for their appearance and deal with the petitioners in accordance with the judgment of

<https://www.mhc.tn.gov.in/judis>



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Supreme Court of India, in State of Uttar Pradesh Vs. Shambunath Singh, reported in

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2001 (4) SCC 667.

sd/-
13/11/2024

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/11/2024

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

PAL
TO
1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

+1 CC to M/s.R.SUNDAR SRINIVASAN, Advocate (SR-13978[I] dated 14/11/2024)

ORDER
IN
Crl.M.P.(MD)No.12073 of 2024
in
Crl.O.P.(MD)No.19562 of 2024
Date :13/11/2024

SA/VR/SAR. /20.11.2024/3P/4C

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