



CRL MP(MD) No.12689 of 2024

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

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

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CRL MP(MD) No.12689 of 2024

in

CRL OP(MD)No.20575 of 2024

1 P. JEYASEELAN

2 J.HEMALATHA

3 SWATHI

... PETITIONERS/ ALLEGED ACCUSED Nos.2 TO 4

Vs

1 THE STATE OF TAMILNADU  
REP BY THE INSPECTOR OF POLICE,  
AWPS -TIRUNELVELI,  
TIRUNELVELI DISTRICT.  
CRIME NO.5 OF 2022.

... RESPONDENT No.1/COMPLAINANT

2 SWEDHA

... RESPONDENT No.2/DEFACTO 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 personal Appearance of the petitioner before the Trial Court in Charge Sheet in C.C.No.314 of 2024 on the file of the Additional Mahila Court, Tirunelveli District, pending disposal of the above Quash Petition.



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**Prayer in CRL OP(MD). 20575/ 2024 :**

To call for the records pertaining to the case registered in Charge sheet in C.C.No.314 of 2024 on the file of Additional Mahila Court, Tirunelveli, Tirunelveli District and Quash the same as illegal as far as the 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.ANTO PRINCE, Advocate for the petitioner and of Mr.K.SANJAI GANDHI, Government Advocate(Crl.side) on behalf of the 1<sup>st</sup> Respondent 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 petitioners in C.C.No.314 of 2024, on the file of the Additional Mahila Court, Tirunelveli, Tirunelveli District, 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 learned trial Judge for the purpose of identification. If the petitioners adopt any dilatorily tactics, it is open for



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the trial Court to insist for their appearance and deal with the petitioners in  
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accordance with the judgment of the Hon'ble Supreme Court in the case of *State of  
Uttar Pradesh vs. Shambhu Nath Singh* reported in 2001 (4) SCC 667.

sd/-  
26/11/2024

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/12/2024

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

SMN2  
TO

- 1 THE ADDITIONAL MAHILA JUDGE,  
TIRUNELVELI, TIRUNELVELI DISTRICT.
- 2 THE INSPECTOR OF POLICE,  
AWPS -TIRUNELVELI,  
TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL MP(MD) No.12689 of 2024  
in  
CRL OP(MD)No.20575 of 2024  
Date :26/11/2024

SS/GSV/SAR- /09/12/2024/ 3P/4C

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