



Crl.M.P.(MD)No.12742 of 2024

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

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

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P.(MD)No.12742 of 2024

in

Crl.O.P.(MD)No.20604 of 2024

1 K. SANKARA NAINAR @ SANKAR

2 V. MANOKAR @ MANOGARAN

3 M. SHANMUGAVEL

4 K. KANTHAN

5 K. GOTHANDARAMAN @ KOTHANDAR

6 S. ARASU @ ARUNTHATHI RASU

7 V. MURUGESAN

8 M. SAKTHIVEL

9 R. VETTUMPERUMAL

10 R. GANESN

11 R. ATHIYAPPAN

12 T. CHELLAPPA

13 S. SUDALIMADAN

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



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14 V. MURUGAN

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15 K. SEETHARAMAN

... Petitioners / Petitioners

Vs

1 THE STATE OF TAMILNADU REP. BY,
THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 724 OF 2010)

2 M. ANTHONY RAJ

... 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 petitioner pending trial in P.R.C.No. 26 of 2023 pending on the file of the Judicial Magistrate, Tiruchendur till disposal of the criminal original petition.

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. THIRUMURUGAN.T., Advocate for the petitioner and of M/s.A.THIRUVADI KUMAR, Additional Public Prosecutor, on behalf of the Respondents the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioners in P.R.C.No.26 of 2023, on the file of the Judicial Magistrate Court, Tiruchendur, 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



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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 the trial Court to insist for their appearance and deal with the petitioners in 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/-
27/11/2024

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/ 12 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1 THE JUDICIAL MAGISTRATE,
TIRUCHENDUR.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



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3. THE INSPECTOR OF POLICE
TIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT

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

ORDER
IN
Crl.M.P.(MD)No.12742 of 2024
in
Crl.O.P.(MD)No.20604 of 2024
Date :27/11/2024

PSP/ VR /SAR /06.12.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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