



Crl.M.P.(MD)No.12940 of 2024

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

Friday, the Twenty Ninth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.M.P.(MD)No.12940 of 2024

in

Crl.O.P.(MD)No.20877 of 2024

ANPON DEVADHAS

... PETITIONER/PETITIONER

Vs

1 THE STATE OF TAMIL NADU
THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.389/2020.

2 SUJI
THE VILLAGE ADMINISTRATIVE OFFICER,
MATHICODE,
KANYAKUMARI DISTRICT.

... RESPONDENTS/RESPONDENTS

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 in CC No.203/2024 pending on the file of the Judicial Magistrate Eraniel pending disposal of the Quash Petition.

Prayer in CRL OP(MD). 20877/ 2024 :

To call for the records in CC No.203/2024 pending on the file of Judicial Magistrate Eraniel and may be Quash the same with respect to petitioner and pass such further or other orders as this Honble Court.



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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.BALAKRISHNAN.A, Advocate for the petitioner and of MR.K.SANJAIGANDHI, Government Advocate(Crl.side) on behalf of the Respondent No.1, the court made the following order:-

Considering the facts and circumstances of the case, the personal appearance of the petitioner in C.C.No.203 of 2024, on the file of the learned Judicial Magistrate Court, Eraniel, 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 learned trial Judge for the purpose of identification. If the petitioner adopts any dilatorily tactics, it is open for the trial Court to insist for his appearance and deal with the petitioner in accordance with the judgment of the Hon'ble Supreme



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Court in the case of State of Uttar Pradesh vs. Shambhu Nath Singh reported in 2001
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(4) SCC 667.

sd/-
29/11/2024

/ TRUE COPY /

/12/2024

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

smn2

TO

1.THE JUDICIAL MAGISTRATE ERANIEL

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL.

3.THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER
IN

Crl.M.P.(MD)No.12940 of 2024

in

Crl.O.P.(MD)No.20877 of 2024

Date :29/11/2024

RK/VR (04/12/2024) 3P / 5C

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