



Crl.M.P.(MD)No.12025 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.M.P(MD)No.12025 of 2025

in

Crl.O.P(MD)No.14810 of 2025

1.T.Sunil

2.Sivakumar

... Petitioners

Vs.

State rep.by the Inspector of Police,
CBI, ACB Chennai,
Crime No. RC MA1 2015 A 0013)

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 528 of BNSS, to dispense with the personal appearance of the petitioners in C.C.No.1 of 2020 pending on the file of the learned II Additional Sessions Judge for CBI Cases, Madurai.

For Petitioners : Mr.R.Viduthalai, Senior counsel
for Mr.B.Ullasavelan.

For Respondent : Mr.C.Muthu Saravanan,
Special Government Pleader,
for CBI Cases.



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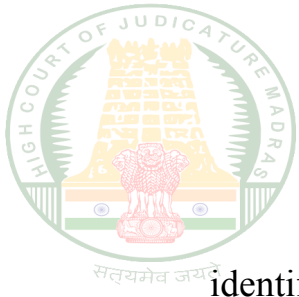
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ORDER

This Criminal Miscellaneous Petition has been filed to dispense with the personal appearance of the petitioners in C.C.No.1 of 2020 pending on the file of the learned II Additional Sessions Judge for CBI Cases, Madurai.

2. Heard both sides and also perused the records.

3.Considering the facts and circumstances of the case, the personal appearance of the petitioners before the trial Court is ordered to be dispensed with, on conditions 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



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identification. If the petitioners adopt any dilatorial tactics, it is open to the Trial Court to insist for their appearance and deal with the petitioners in accordance with the judgment of Supreme Court of India, *in State of Uttar Pradesh Vs. Shambunath Singh*, reported in *2001 (4) SCC 667*.

4. Accordingly, the Criminal Miscellaneous Petition is ordered.

19.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The II Additional Sessions Judge for CBI Cases,
Madurai.
- 2.The Inspector of Police,
CBI, ACB Chennai,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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K.MURALI SHANKAR,J.

das

Order made in
Crl.M.P(MD)No.12025 of 2025
in
CrI.O.P(MD)No.14810 of 2025

Dated: 19.09.2025