



**CRL MP(MD) NO. 12887 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 29-01-2025**

**CORAM**

**THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR**

**CRL MP(MD) NO. 12887 of 2024**

**IN**

**CRL OP(MD) NO. 20806 OF 2024**

Vijayan @ Vijay  
S/o.Balu, East Senthamil Nagar, Kalaiyarkovil,  
Sivagangai District.

Petitioner(s)

**Vs**

The State of Tamilnadu  
Rep by The Inspector of Police, Kalaiyarkovil Police Station,  
Kalaiyarkovil, Sivagangai District.  
Crime No.781 of 2018. and another

Respondent(s)

**For Petitioner(s):**

Mr. Ananthkumar M

**For Respondent(s):**

Mr.E.Antony Sahaya Prabahar for R1

### **ORDER**

Considering the facts and circumstances of the case, the personal appearance of the petitioner in C.C. No.155 of 2020 on the file of the learned Judicial Magistrate No.I, Sivagangai t 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



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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 he is examined in chief. The petitioner shall not dispute the identity of the witnesses. The petitioner 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 petitioner in accordance with the judgment of Supreme Court of India, *in State of Uttar Pradesh Vs. Shambunath Singh*, reported in 2001 (4) SCC 667.

sd/-

29/01/2025

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/02/2025

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

AAV

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,  
KALAIYARKOVIL POLICE STATION,  
KALAIYARKOVIL,  
SIVAGANGAI DISTRICT.



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

ORDER  
IN  
CRL MP(MD) No.12887 of 2024  
IN  
CRL OP(MD) NO. 20806 OF 2024  
Date :29/01/2025

SS/VR/SAR- /12/02/2025/ 3P/5C

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