



CRL MP(MD) NO. 13868 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-01-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP(MD) NO. 13868 of 2024

IN

CRL OP(MD) NO. 22275 OF 2024

R.Shiva Rajendhran
S/o. Retham Nadar, Mela Krishnan Pudhoo, Nagercoil,
Kanyakumari District.

Petitioner(s)

Vs

The State of Tamil Nadu,
Rep. by, The Inspector of Police, Nesamony Nagar Police
Station, Nagercoil, Kanyakumari District. and another

Respondent(s)

For Petitioner(s):

Mr. K.P.Narayanakumar, Advocate

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.17** of 2022 on the file of the learned Judicial Magistrate cum Additional Mahila Court, Nagercoil 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



CRL MP(MD) NO. 13868 of 2024

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 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/-
30/01/2025

/ TRUE COPY /

/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 CUM
ADDITIONAL MAHILA JUDGE, NAGERCOIL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANNIYAKUMARI DISTRICT AT NAGERCOIL.



CRL MP(MD) NO. 13868 of 2024

3 THE INSPECTOR OF POLICE,
NESAMONY NAGAR POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.

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

ORDER
IN
CRL MP(MD) No.13868 of 2024
IN
CRL OP(MD) NO. 22275 OF 2024
Date :30/01/2025

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

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