



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 13799 of 2026

and

CrI.MP.No.8892 of 2026

Sangeetha
D/o. Ponnurangam,
No.64/3, Muniappa Street,
Perambur, Chennai - 600 011.

..Petitioner(s)

Vs

K R Thiyagarajan
S/o. S.K.Ramanathan,
No.51/1, Madurai Street,
Ayanavaram, Chennai - 600 023.

..Respondent(s)

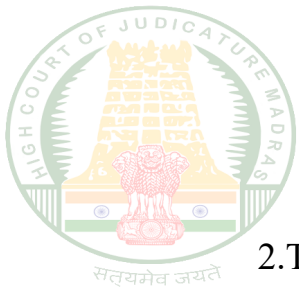
PRAYER: This criminal original petition filed under Section 482 of CR.P.C. to set aside the order made in CrI.M.P.No.365 of 2026 in CC.No.2189 of 2020 dated 29.04.2026 on the file of the Hon'ble 20th Metropolitan Magistrate Court, Allikulam, Egmore and thus render justice.

For Petitioner(s):

Mr.S.Senthilnathan

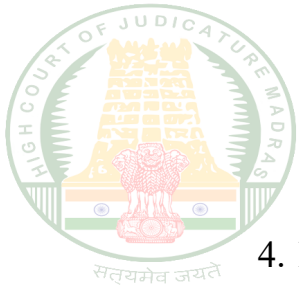
ORDER

The petitioner/accused facing trial in CC.No.2189 of 2020 filed a petition in CrI.MP.No.365 of 2026 seeking dispense with the personal appearance of the petitioner and the petitioner may be exempted for receiving the judgment. The Trial Court by order dated 29.04.2026 dismissed the same, against which, the present petition has been filed.



2.The contention of the petitioner is that the petitioner is the spouse of H1B Visa holder and Emigration department of USA imposed unworkable conditions for those who crosses the frontiers of USA and seek extension of H1B Visa. Air ticket fares are also swelled due to war situation. Hence, prayed for dispensing with the personal appearance of accused for receiving the judgment. Further, in support of his contention relied upon the decision of the Apex Court in the case of *M/s.Bhaskar Industries Ltd., Vs. M/s.Bhiwani Denim and Apparels Ltd.,*. The trial Court not considering the same, dismissed the petition.

3.Considering the submission and on perusal of the materials available on record, it is seen that though the petitioner claims to be a dependent of H1B visa holder, she has not produced any H1B visa to establish the same. Further, there is no proof has been filed to show that she is a dependent visa holder. The trial Court already dispensed with the personal appearance of the petitioner and also permitted the petitioner to be examined under Section 313 Cr.P.C. through her counsel. The case is now posted for judgment. The trial Court not satisfied with the reasons stated in the petition and dismissed the same. Further, the trial court insisted on the presence of the petitioner. The matter is within the discretion of the trial Court and the trial Court has rightly held so.



4. In view of the above, this Court finds that no reason to interfere with the order dated 29.04.2026 passed in Crl.M.P.No.365 of 2026 by the trial Court.

Accordingly, the criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

03-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms

To

1.20th Metropolitan Magistrate Court,
Allikulam, Egmore.

2.The Public Prosecutor
High Court, Madras.



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CRL OP No. 13799 of 2



M.NIRMAL KUMAR, J.

sms

CRL OP No. 13799 of 2026

03-06-2026