

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2614 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner-A.1 seeking to permit him to leave India enabling him to work in Dubai, U.A.E., pending trial of C.C. No.1848 of 2017 on the file of the Additional Judicial Magistrate of First Class, Anantapur.

2. Heard the learned counsel for the petitioner-A.1 and the learned counsel for the respondent-State, apart from perusing the material on record.

3. As per the material placed before this Court, the petitioner-A.1 filed an application before the Court below under Section 205 Cr.P.C. in CrI.M.P. No.1999 of 2017, the same was allowed on 20.01.2018 and the Court was pleased to direct the petitioner-A.1 to attend the Court below at the time of examination under Section 313 Cr.P.C. and also on the date of pronouncement of judgment. It is submitted that the petitioner-A.1 has been working in Dubai, U.A.E. even before his marriage. If he did not go there, there is possibility of losing his job. The petitioner-A.1 assured this Court that he would abide by the directions given in CrI.M.P. No.1999 of 2017 on 20.01.2018. The petitioner has to eke out his livelihood. When criminal case is pending against him, his right to employment cannot be denied. Under these circumstances, the petitioner-A.1 is permitted to go to Dubai, U.A.E. as prayed for. He shall not deviate the conditions imposed on 20.01.2018 in CrI.M.P. No.1999 of 2017. Before leaving to Dubai, the petitioner shall furnish the details of his employment to the trial Court.

4. Accordingly, the Criminal Petition is allowed. Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 14-03-2018

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