

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.02.2019

CORAM:
THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.4052 of 2019

R.Pandurangan

... Petitioner

/Vs/

State rep.by
The Inspector of Police
Central CBI/ACB/Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under section 482 of Cr.P.C., to permit him to go to United Kingdom and stay there for a period of 6 months pending trial in C.C.No.10 of 2007 on the file of the learned II Additional District Judge-Special Judge for CBI Cases, Coimbatore.

For Petitioner : Mr.Sathyamoorthy for
Mr.B.Nambi Selvan

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for
CBI Cases
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O R D E R

This petition has been filed by the petitioner seeking to permit the petitioner to travel to United Kingdom and stay there for a period of 6 months pending trial in C.C.No.10 of 2007 on the file of the learned II Additional District Judge-Special Judge for CBI Cases, Coimbatore.

2. The learned counsel for the petitioner would submit that the petitioner's daughter is residing at No.4, Goose Acre, Bradely Stoke, Bristol, United Kingdom and that she has got two children and her husband Krishnakumar is also working as an Analyst Programmer in United Kingdom. He would further submit that the petitioner's daughter has also got an employment at Avon and Somerset Police since December 2017 and the petitioner intends to visit his daughter at United Kingdom to spend a period of six months with her and her children, since vacation period for the students at United Kingdom falls in the month June. He would further submit that earlier, the petitioner was

granted permission to visit United Kingdom and that he has come back and regularly appearing before the Trial Court.

3. The learned Special Public Prosecutor for CBI Cases would submit that the trial is in the mid way. He would further submit that out of 85 witnesses, 36 witnesses have been examined so far and that the case stands posed for next hearing on 01.03.2019. He would also submit that the Trial Court would be the right forum to decide the prayer of the petitioner taking into consideration the stage of the trial.

4. This Court is of the view that the Trial Court which is conducting the trial would be the proper forum to decide the petition of the petitioner taking into consideration the stage of the case and the ground situation.

5. The petitioner is granted liberty to file a fresh petition with the above prayer before the Trial Court and the Trial Court shall consider the same in accordance with law within a period of one month from the date of the petition so filed.

6. With the above directions, the criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kv

To

1. The II Additional District Judge-Special Judge
for CBI Cases, Coimbatore.

2. The Inspector of Police
Central CBI/ACB/Chennai.

3. The Special Public Prosecutor for CBI Cases
High Court, Madras.

+1cc to Mr.B.Nambiselvan, Advocate, S.R.No.13859

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rrs 15/02/2019