

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Twenty Sixth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.13829 of 2019

in CRL.A.No.279 of 2019

SELVIAH VIJAYKUMAR. M [ PETITIONER ]

Vs

STATE REP.BY [ RESPONDENT ]  
THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORUPTION,  
COIMBATORE.  
(CRIME NO. 18/2010/AC/CB)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To permit the Petitioner/ appellant/ accused to travel to west Chester, United States of America for a period of six months from the date 01/10/2019 to 31/03/2020 in Passport No. 4071674 of his travel in Criminal Appeal No. 279/2019.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.M.L.RAMESH, Advocate for the petitioner, and of MRS. M.PRABHAVATHI, Additional Public Prosecutor, on behalf of the Respondent, the court made the following order:-

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The present petition is filed by the petitioner/accused seeking permission to travel to West Chester, United States of America for a period of six months from 1.10.2019 to 31.3.2020.

2. This Court, by its order dated 23.05.2019, while suspending the substantial sentence of imprisonment imposed on the petitioner, enlarged the him on bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Special Judge (FAC), Coimbatore and on further condition that he shall appear before the said court on the first working day of every month until the disposal of the appeal.

3. Learned counsel for the petitioner submitted that his son who is employed in USA is living along with his daughter in law there and now his daughter -in-law is expecting her first delivery and her expected delivery date was fixed on 10.2.2020. He would further submit that her son is unable to take care of his pregnant wife, she developed some pregnancy related issues, hence, to take care of her daughter in law, the petitioner and his wife's presence is necessary. The petitioner's wife is a house wife coming from a rural back ground and hence it has become necessary that the petitioner has to accompany his wife to USA where they have also planned to conduct a small function for the expected child. In this regard, the petitioner has produced medical certificate dated 16.08.2019 issued by Obstetrics and Gynecology Associates, Inc., USA stating that petitioner's daughter in law was pregnant and her due date is 10.02.2020 and copy of Air Tickets showing that he is proposed to travel abroad between 1.10.2019 and 26.12.2019 .

4. He further submits that since the petitioner is going abroad, he would not be in a position to appear before the trial court on first working day of the months of October, November and December 2019, hence he seeks exemption of such condition imposed on him for the above said three months.

5. Learned Additional Public Prosecutor submits that the petitioner has been complying with the condition regularly and further she would submit that from January 2020 onwards, he has to comply the condition without fail.

6. Considering the facts and circumstances of the case, and the submissions made above, the petitioner is granted exemption to appear before the trial court for the months of October, November, December 2019 and the petitioner shall continue to comply with the condition regularly from January 2020 onwards without fail.

7. The petition is ordered accordingly.

-sd/-  
26/09/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORUPTION,  
COIMBATORE.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE SPECIAL JUDGE (FAC)  
SPECIAL COURT FOR CASES UNDER PREVENTION OF  
CORRUPTION ACT, COIMBATORE.

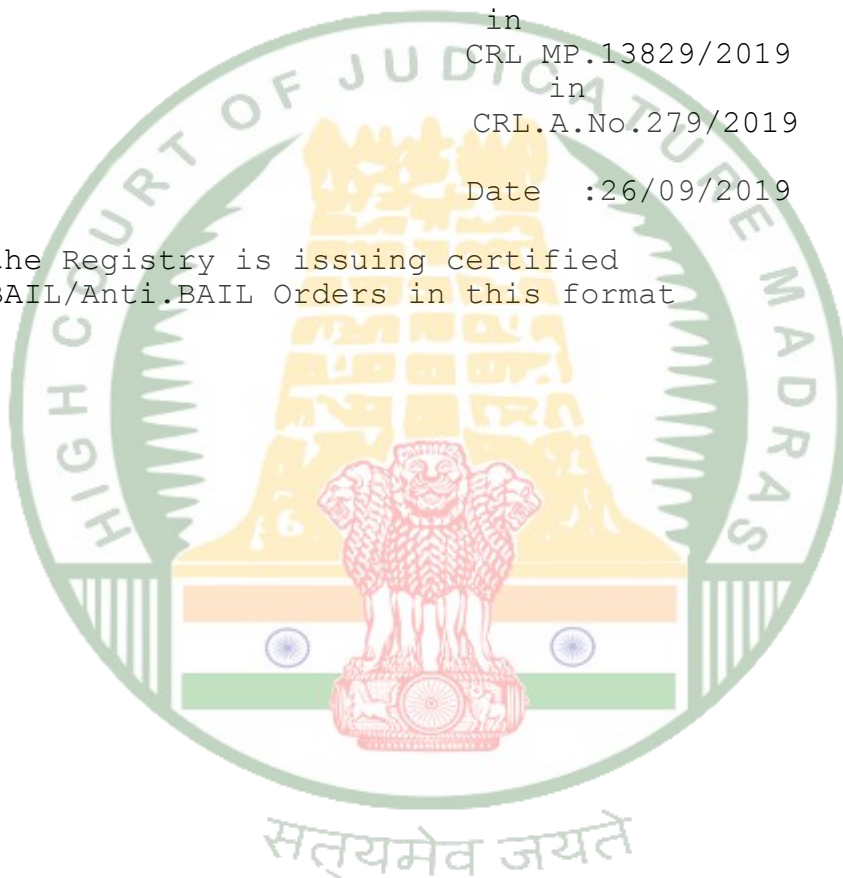
+1 C.C. to M/S.M.L.RAMESH Advocate on payment of necessary  
charges SR.NO.20094

Order

in  
CRL MP.13829/2019  
in  
CRL.A.No.279/2019  
Date :26/09/2019

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TA-27/09/2019



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