

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.28882 of 2019

V.Balagurusamy

...Petitioner

Vs

State rep. by
The Inspector of Police,
W-8, All Woman Police Station,
Thirumangalam,
Chennai - 600 040.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to pass an order to permit the petitioner to travel abroad and visit his son namely Dr.Saravanan Balaguruswamy residing at United Kingdom during the month of October 2019 to December 2019.

For Petitioner : M/s.K.M.Vijayan Associates

For Respondent : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

It is seen that the earlier, when the petitioner had sought for permission to travel abroad for the purpose of visiting his son in the UK between May 2019 to September 2019, this Court, by an order dated 12.04.2019 passed in Crl.O.P.No.10083 of 2019, had directed the learned XIII Metropolitan Magistrate, Egmore, Chennai to accept an affidavit from the petitioner and thereby grant permission for him to leave abroad. Pursuant to the directions of this Court, the petitioner herein had also filed an affidavit before the learned XIII Metropolitan Magistrate, Egmore, Chennai, which was accepted and by an order dated 06.05.2019 the permission was granted.

2.The learned counsel for the petitioner would submit that owing to some medical ailments, he was not in a position to leave the country between the period May 2019 to September 2019 and as such, he has filed the present petition.

3.In view of the fact that, this Court has already considered the petitioner's request favourably by relying upon the Gazette notification issued by the Ministry of External Affairs, as well as the order of this Court passed in Crl.O.P.No.8544 of 2018 dated 27.05.2019 and granted the required permission, it would be appropriate to permit the petitioner herein to submit a further affidavit before the concerned Magistrate seeking for permission to travel between October 2019 to December 2019.

4.In the light of the above observation, the petitioner herein is granted liberty to appear before the learned XIII Metropolitan Magistrate, Egmore, Chennai and file an affidavit disclosing his place of stay in the UK and also about his itinerary. On such affidavit being filed along with the requisite petition The learned XIII Metropolitan Magistrate, Egmore, Chennai shall grant necessary permission by way of an order to the petitioner permitting him to travel for the period between October 2019 and December 2019. The learned XIII Metropolitan Magistrate shall endeavour to pass such order, preferably on the same day on which the affidavit is filed.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ssr/sbn

To

1.The XIII Judicial Magistrate Court
Egmore, chennai

2. The Inspector of Police,
W-8, All Woman Police Station,
Thirumangalam,
Chennai - 600 040.

3. The Public Prosecutor,
High Court of Madras.

+3 ccs to M/s.K.M.Vijayan Advocate sr90794 &90793,91282

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