

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5380 of 2019

ORDER :

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the order dt.26.06.2019 in CrI.M.P.No.1068 of 2019 in C.C.No.121 of 2016 passed by the XV Additional Chief Metropolitan Magistrate-cum-Special Court for the trial of Video Piracy Cases, Nampally, Hyderabad, by according permission to the petitioner/A.2 to travel abroad.

The grievance of the petitioner/A.2 is that he was falsely implicated in the above case by the complainant for being the father of her husband and he was enlarged on bail. When his renewal of passport was refused by the authorities concerned and he was asked to obtain permission from the Court, he filed an application before the Court below seeking permission to travel abroad for medical opinion with regard to his knee joint pains, his application was dismissed by the Court below vide order dt.18.12.2017 in CrI.MP.No.1853 of 2017. When he made another application on the ground that he had an appointment with a doctor in United States of America on 21.08.2019 and he has to attend the graduation ceremony of his grand daughter on 13.06.2019, the said application was also dismissed by the Court below vide order dt.26.06.2019 in CrI.MP.No.1068 of 2019 in C.C.No.121 of 2016 on the ground that the Court below does not find any necessary ground for A.2 to travel abroad even though he is seeking medical advice

for knee joint pains. The petitioner submits that his daughter, who resides in USA had taken an appointment for consultation from a doctor and he had given appointment on 30.10.2019 and hence sought permission to quash the order dt.26.06.2019 in Crl.M.P.No.1068 of 2019 in C.C.No.121 of 2016 passed by the court below by according permission to the petitioner/A.2 to travel abroad.

Heard learned counsel for the petitioner/A.2 and the learned Additional Public Prosecutor appearing for respondent – State. Perused the material on record.

Learned counsel for the petitioner contends that the petitioner is suffering from knee joint pain for a long time and he had an appointment with a doctor in USA on 30.10.2019 and hence it is just and necessary to grant permission to the petitioner to travel abroad for his treatment.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in this Criminal Petition.

A perusal of the record reveals that the petitioner is suffering from knee joint pain for a long time and he had an appointment with a doctor in USA on 30.10.2019.

Having regard to the facts and circumstances of the case, the order dt.26.06.2019 in Crl.M.P.No.1068 of 2019 in C.C.No.121 of 2016 passed by the Court below is set aside and the petitioner/A.2 is permitted to travel abroad towards treatment for his knee joint pain. It is directed that before

going to abroad, the petitioner/A.2 shall appear in person and submit copies of Air ticket and VISA before the Court below. After return from abroad after completion of his treatment, the petitioner/A.2 shall appear in person regularly before the Court below without fail.

Accordingly, this Criminal Petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

29.08.2019.
Msr

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