



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Third day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) No.6441 of 2020
IN
CRL A(MD) No.389 of 2016

R.GEETHA

... PETITIONER/1st APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ACB, CBI,
CHENNAI.
FIR NO. R.C 61(A)/2004.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Permit the Petitioner to travel to Germany and stay there for Six months to attend the daughter of the Petitioner who is under pregnancy and expected to deliver a child in the month of January 2021 and her absence for the Period may kindly be condoned.

Prayer in CRL A(MD) No.389 of 2016:

To set aside the conviction and sentence passed against the appellants by the Learned II Additional District Judge for CBI cases, Madurai in C.C.No.4/2008 on 07.10.2016 and acquit the appellant/accused.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.R.ARAVINDAN, Advocate for the petitioner and of M/S.L.VICTORIA GOWRI, Additional Solicitor General on behalf of the Respondent, the court made the following order:-

Heard the learned counsel appearing for the petitioner and the learned Additional Solicitor General appearing for the respondent.

2.The petitioner has suffered conviction before the Court below and in Crl.A.(MD)No.389 of 2016, she has been granted suspension of sentence. The petitioner's daughter is in Germany and she is to delivery a child shortly. The petitioner wants to be with her daughter for a period of four months. Since this appeal is not taken in the near future, I am of the view that this



request can be granted, notwithstanding the objections raised by the learned Additional Solicitor General appearing for the respondent.

3.The petitioner after landing in Germany shall immediately contact Indian Embassy and appear before them once in two weeks during this period of four months. I make it clear that the petitioner shall not apply for extension of time. The petitioner gives an undertaking that the petitioner will return to India on the expiry of the period of four months.

4.Subject to these conditions, this criminal miscellaneous petition is allowed.

sd/-

03/12/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE II ADDITIONAL DISTRICT JUDGE FOR CBI CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
ACB, CBI, CHENNAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.6441 of 2020

IN

CRL A(MD) No.389 of 2016

Date :03/12/2020

ias

JM/PN/SAR III/07.12.2020/2P/4C