



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

Monday, the Fifteenth day of February Two Thousand and Twenty One

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.1067 of 2021

IN

CRL A(MD) No.389 of 2016

R.GEETHA

... PETITIONER/PETITIONER/
1ST APPELLANT

Vs

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

... RESPONDENT/RESPONDENT/
RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Modify the order dated 03.12.2020 passed in CRL MP (MD) No.6441 of 2020 in CRL A(MD)No. 389 of 2016 by deleting the condition imposed directing to report Indian High Commissioner's Office at Germany once in 15 days.

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

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 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 Ms.L.VICTORIA GOWRI, Assistant Solicitor General of India, on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the order dated 03.12.2020 passed in Crl.M.P(MD).No. 6441 of 2020 in Crl.A.(MD). No.389 of 2016 by deleting the condition imposed directing the



petitioner to report before the Indian High Commissioner's Office at Germany once in 15 days during the total period of four months as permitted by this Court.

2. The learned counsel appearing for the petitioner would submit that the distance between the place where the petitioner's daughter is residing and the Indian High Commissioner's Office at Germany is more than 700 Kilometers, that in Germany they have declared Covid - II Phase and imposed so many restrictions and that the petitioner is not in a position to comply with that order and the same may be modified.

3. The learned Assistant Solicitor General of India would represent that she is leaving to the discretion of the Court.

4. Considering the facts and circumstances of the case and also considering the distance between the petitioner's proposed place of stay and the Embassy Office at Germany and also the fact that petitioner is a lady aged 53 years and got permission to look after her pregnant daughter and that the learned Assistant Solicitor General of India has not raised any serious objection, this Court is inclined to allow this petition.

5. Accordingly the condition imposing on the petitioner to report before the Indian High Commissioners Office at Germany once in 15 days during the total period of four months as permitted by this Court is deleted and the other conditions imposed in the said Crl.M.P(MD).No. 6441 of 2020 remain un-altered.

6. This petition is allowed to the extent indicated above.

sd/-
15/02/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

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

3.THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL MP(MD) No.1067 of 2021 IN
CRL A(MD) No.389 of 2016
Date :15/02/2021

TRP

<https://hccs.csb.gov.in/hccs-services> 2.2021/2P/4C