



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.2201 of 2022

R.Kasaniya

... Petitioner/Petitioner

Vs.

The Inspector of Police Cum
Investigation Officer,
Illicit Granite Quarry Cases,
Melur Circle, Madurai District.

... Respondent/Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order passed by the Special Court to Deal with the Cases of Offences in contravention of the Provisions of the Mines and Minerals (D & R) Act, 1957, Madurai in Cr.M.P.No.2230 of 2021 in Special S.C.No.19 of 2021 pending on his file and consequently permit the petitioner to travel abroad.

For Petitioner : Mr.R.Anand

For Respondent : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side)

O R D E R

The petitioner is figuring as an accused in Spl.S.C.No.19 of 2021 on the file of the Special Court to deal with the Cases of Offences in contravention of the Provisions of the Mines and Minerals (D & R) Act, 1957, Madurai. Her husband is also an accused in the very same case. Her husband is having a serious medical condition. He wants to go abroad for treatment. The petitioner as a dutiful wife wants to accompany her husband. No exception can be taken to this request. I had already allowed Crl.O.P.(MD)No.2199 of 2022 filed by the husband. Therefore, as a necessary consequence, this criminal original petition also has to be allowed. The impugned order is set aside and the criminal original petition is allowed.

2.At this stage, the learned counsel for the petitioner informed the Court that the petitioner will not be able to enjoy the fruits of the order because there are similar cases pending against her. Since permission has been granted to the petitioner to travel abroad, there is no need for the petitioner to obtain a similar order in the other cases. The petitioner can travel abroad for her husband's medical treatment on the strength this order.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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 Special Court to Deal with the Cases of
Offences in contravention of the Provisions
of the Mines and Minerals (D & R) Act, 1957,
Madurai.
- 2.The Inspector of Police Cum Investigation Officer,
Illicit Granite Quarry Cases,
Melur Circle,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD)No.2201 of 2022
03.02.2022

KSS(CO)
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