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Crl.O.P.No.28586 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.28586 of 2025

Ramchander Singh

... Petitioner/A2

Versus

State Rep. By:
The Inspector of Police,
CBI/SCB/Chennai,
Rajajibhawan, Besant Nagar,
Chennai – 600 090.

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023, praying to call for the records relating to the proceedings in Crl.M.P.No.13154 of 2025 in C.C.No.4471 of 2010 dated 29.09.2025 on the file of the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai, set aside the said order and allow the petitioner's application for permission to travel abroad.

For Petitioner : Mr.P.Solomon Francis

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI)



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ORDER

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The petitioner/A2, who is facing trial in C.C.No.4471 of 2010, had filed a petition before the trial Court in CrI.M.P.No.13154 of 2025 seeking permission to go abroad. The trial Court, by the order dated 29.09.2025, dismissed the petition for the reason that petitioner has not given any address of his stay at Madagascar and Ethiopia and India has no extradition treaty in Madagascar and Ethiopia.

2.The learned counsel for the petitioner submitted that the finding of the trial Court is not proper. It is not in dispute that the petitioner is a shareholder and Director of three companies in abroad, one in Burma, the second one in Madagascar and third company recently established in Ethiopia. The petitioner's presence is very much required to oversee the factory's operation and also to attend the meetings. The petitioner filed an undertaking affidavit before the trial Court giving schedule for travelling abroad, which reads as follows:



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SCHEDULE FOR TRAVELLING ABROAD							
Name	Passport Number	Date of Issue of Passport	Date of Expiry of Passport	Date & Timing of Departure	Date & Timing of Arrival	Travel Place	Staying Address
Ramesh Sunder Singh	ZA222421	04-09-2025	03-09-2038	04-10-2025 from Chennai @2.45am	04-10-2025 to Antananariv o, Capital of Madagascar @1.45pm	MADAGASCAR	IR Melaux Sarri, Loc AB 470/E Antanimena/sely, Antsirafika, Tana-102
				07-10-2025 from Antananari vo, Capital o, Madagascar @2.50pm	07-10-2025 to Addis Ababa, Capital of Ethiopia @7.50pm	ETHIOPIA	Addissinia Hotel, Bale Sub City, Werada 03, 1/2 Addis Ababa.
				10-10-2025 from Addis Ababa, Capital of Ethiopia @4.00pm	11-10-2025 to Chennai @1.0am	CHENNAI	
TICKET RESERVATION CODE: DFLYK9 - E-Ticket Number: 9712867111020							

3.Earlier, the petitioner was permitted to travel abroad on 17 occasions. The previous travel of the petitioner are tabulated hereunder:



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PASSPORT NUMBER	VALIDITY	DEPARTURE DATE	ARRIVAL DATE	COUNTRY
K2234428	2012-2022	19.05.2012	24.05.2012	MALAYSIA
		06.06.2013	21.06.2013	UK
		26.12.2013	31.12.2013	DUBAI
		13.12.2014	18.12.2014	MADAGASCAR
		17.02.2015	24.02.2015	MADAGASCAR
		30.06.2015	13.07.2015	MADAGASCAR
		15.12.2015	28.12.2015	MADAGASCAR
		22.09.2015	29.09.2015	MADAGASCAR
		23.02.2016	29.02.2016	MADAGASCAR
		09.04.2016	10.05.2016	MADAGASCAR
S7971077	26.11.2018- 25.11.2019	10.02.2018	12.02.2018	MYANMAR
		10.12.2018	15.12.2018	MYANMAR
		12.04.2019	17.04.2019	MADAGASCAR
		28.04.2019	02.05.2019	MYANMAR
Z4934343	16.10.2019- 15.10.2020	28.10.2019	02.11.2019	MYANMAR
		10.02.2020	14.02.2020	MYANMAR
V7649096	07.03.2022- 06.03.2024	19.07.2022	24.07.2022	MYANMAR
		12.12.2022	17.12.2022	MYANMAR

4.The petitioner had been travelling for the past 10 years on various dates to various places including Madagascar. As regards Ethiopia, a company has been recently formed and the petitioner's entire family is settled in India. In fact, in this case initially 5 accused were prosecuted. Two are companies and other three accused are petitioner and his two sons, one son is



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no more. Now there are 4 accused in this case. Apart from the petitioner, his son is also facing trial. For a limited period the petitioner has to travel to Madagascar and Ethiopia and he will not be a hindrance to the trial and his absence would not stall the proceedings of the trial. He further undertakes to file an affidavit giving details of his travel, date of re-scheduled departure and arrival, place of stay and his communication details. If there is any exigency, as and when directed by the trial Court he would come back and appear before the trial Court.

5.The learned Special Public Prosecutor submitted that the case in C.C.No.4471 of 2010 is now at the advance stage. It is pending trial for nearly 16 years. Now the case is at the stage of defence side witness. If the petitioner/accused fails to return back to India it will hamper the progress of trial. He further submitted that the petitioner not filed any supportive documents to justify his travel and communication details and his place of stay. As regards Madagascar, he gives the factory address and in Ethiopia, he gives a Hotel address.



6.The learned counsel for petitioner refuted the same and submitted that the petitioner has got a place to stay in Factory at Madagascar. As regards Ethiopia, since it is newly formed company, he is staying in a Hotel. He further submitted that the petitioner earlier travelled to Madagascar and Ethiopia during the period from 14.04.2024 to 20.04.2024 and filed a similar petition before the trial Court in Crl.M.P.No.18221 of 2024 seeking permission to go abroad. The trial Court, by an order dated 03.04.2024, permitted the petitioner to travel abroad.

7.The learned Special Public Prosecutor submitted that since the trial Court earlier permitted the petitioner to travel to Madagascar and Ethiopia, permission may be granted to the petitioner, provided, the petitioner gives an undertaking that he would appear before the trial Court and he will not evade justice.

8.Considering the submissions made on either side and on perusal of the materials, it is seen that the petitioner earlier travelled abroad on 17 occasions. His son is a co-accused in this case and the petitioner has got business interest, which is not seriously disputed. Apart from 17 occasions,



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the trial Court during April, 2024 permitted the petitioner to travel to Madagascar and Ethiopia. In view of the same, this Court set asides the impugned order passed in Crl.M.P.No.13154 of 2025 dated 29.09.2025 and permits the petitioner to travel abroad for 15 days subject to the following conditions:

(i) The petitioner to furnish his travel itinerary giving details of his likely date of departure from India and arrival to India before the trial Court and the copy of the same to be submitted to the respondent police.

(ii) The petitioner to furnish the communication details in Madagascar and Ethiopia, viz., place of stay, contact number and E-mail address.

(iii) The petitioner shall file an undertaking affidavit that he will not be a reason for stalling of progress of the trial.

(iv) The petitioner on his arrival to India, shall intimate the same before the trial Court.



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M.NIRMAL KUMAR, J.

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9. With the above directions, the Criminal Original Petition is allowed.

11.11.2025

Index : Yes/No
Internet : Yes/No
Speaking order/Non-speaking order
Neutral citation: Yes/No
rsi

Note: Issue order copy on 12.11.2025.

To

1. The Additional Chief Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
CBI/SCB/Chennai,
Rajajibhawan, Besant Nagar,
Chennai – 600 090.
3. The Public Prosecutor,
High Court, Madras.

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