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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2809 of 2025

and

CRL RC No. 2810 of 2025

Sakthivel

S/o. Palanivelu, Plot No.8, Vaigai
Street, Uthandi, Sholinganallur,
Chennai - 600 119.

Petitioner(s)

Vs

State Rep.by, the Inspector of Police,
CCB CCD Delta-II, ACTU, CWC,
Chennai. Cr.No.9/2025.

Respondent(s)

CRL RC No. 2810 of 2025

Sakthivel

S/o. Palanivelu, Plot No.8, Vaigai
Street, Uthandi, Sholinganallur,
Chennai - 600 119.

Petitioner(s)

Vs

State Rep.by, the Inspector of Police,
CCB CCD Delta-II, ACTU, CWC,
Chennai. Cr.No.9/2025.

Respondent(s)

PRAYER in CRL RC No. 2809 of 2025

To call for the records relating to the impugned common order dated 24.11.2025 passed by the Mahila Court, Chennai in CrI.M.P.No.10034 of 2025 in SC.No.504 of 2025 set aside the same and permit the petitioner to travel to the USA for the period sought, subject to such terms and conditions as this Honble Court.

**PRAYER in CRL RC No. 2810 of 2025**

To call for the records relating to the impugned common order dated 24.11.2025 passed by the Mahila Court, Chennai in Crl.M.P.No.10055 of 2025 in SC.No.504 of 2025, set aside the same and permit the petitioner to travel to the USA for the period sought, subject to such terms and conditions as this Honble Court.

For Petitioner(s): Mr.T.Muruganantham

For Respondent(s): Mr.R.Vinothraja
Government Advocate (criminal Side)

COMMON ORDER

These Criminal Revision Cases have been filed challenging the orders passed by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under the POCSO Act, Chennai, dismissing the petitioner's prayer seeking permission to travel abroad, which is one of the conditions imposed while granting bail to him.

2. The learned counsel for the petitioner would submit that the petitioner, who is an accused in Crime No.9 of 2025 for the offences under Sections 64(2), 68, 75(2) and 78 of BNS, had applied for bail before the learned Principal Sessions Judge, Chennai, and the learned Judge granted bail to him in Crl.M.P.No.2715 of 2025 dated 03.04.2025, on condition that the petitioner shall surrender his overseas passport and shall not travel to any foreign country without prior permission of the said Court. Thereafter, the petitioner filed



petitions seeking permission to travel abroad for a period of one month to attend to his business activities and to meet his family members. By the impugned common order in Crl.M.P.Nos.10034 and 10055 of 2025, the learned Judge dismissed the said petitions. It is further submitted that the petitioner is willing to produce sureties, including a person working in a Government Department, and is also willing to deposit the original title deeds relating to four properties as security to ensure his return to India.

3. The learned Government Advocate (Crl. Side) appearing for the respondent opposed the petitions, submitting that the petitioner is not only involved in the present case but also in two other cases, namely Crime Nos.3 and 4 of 2025, wherein he is accused of offences against a woman employee involving allegations of sexual harassment and rape. It is further submitted that since the petitioner is a Green Card holder issued by the USA and is a permanent resident abroad, there is every possibility that he may abscond and evade the process of law and that, therefore, the impugned orders do not warrant interference.

4. Admittedly, the petitioner is an accused in three cases registered in Crime Nos.3, 4 and 9 of 2025 on the file of the respondent. The respondent has



filed final reports in Crime Nos.3 and 4 of 2025. The case in Crime No.4 of 2025 has been taken on file in S.C.No.504 of 2025 by the learned Sessions Judge, Mahila Court, Chennai, and the trial is yet to commence. The case in Crime No.3 of 2025, in which a final report has been filed, has been taken on file in S.C.No.770 of 2025 by the learned Sessions Judge, Mahila Court, Allikulam, and the trial is yet to commence in that case also. The case in Crime No.9 of 2025 is pending investigation.

5. Therefore, the possibility of conclusion of trial in the near future appears to be remote. The petitioner has surrendered his passport in April 2025. It is stated that his family members are residing in the USA and that he also has business connections there. Though the petitioner is an accused in the aforesaid cases, he cannot be prevented from travelling abroad for a limited period. At the same time, it has to be ensured that the petitioner returns to India to face trial and all further proceedings. Hence, this Court is inclined to permit the petitioner to travel abroad on certain stringent conditions which would ensure his return to India on the date fixed by this Court.

6. In view of the above, this Court is inclined to permit the petitioner to travel abroad, subject to the following conditions:



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(i) The petitioner shall execute a bond for a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) with three sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Allikulam. The first surety shall be his mother; the second surety shall be his sister (who is not an accused in any of the cases); and the third surety shall be a Government servant.

(ii) The petitioner shall deposit the original title deeds relating to the four properties mentioned in his affidavit dated 12.01.2026 [the scanned copy of the said affidavit is attached to this order for easy reference] before the learned Sessions Judge, Mahila Court, Allikulam.

(iii) The petitioner shall file an affidavit before the learned Sessions Judge, Mahila Court, Allikulam, stating the dates of his travel which shall be between 01.03.2026 and 30.03.2026. In the said affidavit, the petitioner shall also furnish the address of his place of residence and his contact number during the said period.

(iv) A copy of this order shall be communicated to the Embassy of the United States of America at Chennai, informing that the petitioner's stay in the USA shall not exceed four weeks, as undertaken by him in the affidavit filed before the learned Sessions Judge, Mahila Court, Allikulam.

7. With the above observations and directions, these Criminal Revision Cases stand allowed.

12-02-2026

cda

Encl: Scanned copy of Affidavit dated 12.01.2026.



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CRL RC Nos. 2809 & 2810 of 2025



SUNDER MOHAN J.

cda

To

- 1.The Sessions Judge, Mahila Court, Chennai.
- 2.The Sessions Judge, Mahila Court, Allikulam.
- 3.The Inspector of Police,
CCB CCD Delta-II, ACTU,
CWC, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.
- 5.The U.S. Embassy, Chennai.

**CRL RC No. 2809 of 2025
AND CRL RC NO. 2810 OF 2025**

12-02-2026



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IN THE HON'BLE HIGH COURT OF JUDICATURE AT MADRAS

CRL. R.C. No. 2809 of 2025 & CRL. R.C. No. 2810 of 2025

Sakthivel
S/o. Palaniivelu
Plot No.8, Vaigai Street
Uthandi, Sholinganallur
Chennai-600119.

.... Petitioner

—Vs—

State represented by
The Inspector of Police
CCB CCD Delta-II
Chennai. (Crime no.09/2025)

.... Respondent

COMMON UNDERTAKING AFFIDAVIT OF SAKTHIVEL

I Sakthivel, S/o. Palaniivelu, aged about 54 years, residing at Plot No.8, Vaigai street, Uthandi, Sholinganallur, Chennai-600119, do hereby solemnly affirm and sincerely state as follows:

1. I submit that I am the Petitioner herein and the Accused in the above case and as such, I am well acquainted with the facts and circumstances of the case.
2. I submit that I have filed the above petitions in Cri RC No. 2809 of 2025 and Cri RC No. 2810 of 2025 praying to return of my passport and permission to travel abroad i.e. USA for a limited period of time, by challenging the impugned orders as sought for.
3. I submit that I intend to visit my children, who are residing in the United States of America, in order to make arrangements for my daughter's marriage proposal. Further, I need to meet my business clients in the United States in connection with my professional commitments. Hence, I herewith give this undertaking before this Hon'ble Court by filing this Affidavit setting out all details regarding the purpose of my visit, my travel plan including the period of stay, place of residence abroad and details of sureties for the benign consideration of this Hon'ble Court.



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4. I submit that my daughter Ms. Ashwini Sakthivel, aged 31 years, residing at No. 205, Rostova Way, Holly Springs, North Carolina – 27540, U.S.A., is managing my Software development Company at USA namely "Sakthi INC", where she serves as Vice President. My son Mr. Anant Akash Sakthivel, aged 26 years, residing at No. 1106, Euclid Ave, Apt. 116, Charlotte, North Carolina – 28203, U.S.A., is working as a Research Intern at Veda AI, Chevrolet, North Carolina. I am required to visit my children and make arrangements for my daughter's marriage proposal.
5. I further submit that I hold U.S. citizenship, having lived in the United States for a long period while running my Software development Company, Sakthi INC, based at No.205, Rostova Way, Holly Springs, North Carolina – 27540. I have several clients in the U.S.A and by procuring Software development projects from them, I established an Offshore development centre in Chennai under the names "Gowebex" and "Meru", where 60 employees are currently employed. Since it has been a considerable time since my last visit to the U.S.A, I am required to travel there to meet my clients and attend the essential business matters. Hence, I require the release of my passport in order to travel to the USA.
6. I most respectfully pray that this Hon'ble Court may be pleased to consider the following undertakings:
 - (i) I will travel to the United States of America by **20th January, 2026** and will return to Chennai on or before **19th February, 2026** and I therefore seek permission to travel abroad for a period of **30 days**.
 - (ii) During my stay in the United States, my primary and permanent address will be **No.205, Rostova Way, Holly Springs, North Carolina – 27540**, except when I travel for business purposes, within United States.



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(iii) I am willing to furnish blood sureties, namely **my mother** Palaniammal and **my younger sister** Sri Devi, who will execute the necessary bonds to ensure my travel and return to India.

(iv) I am also prepared to furnish property sureties by executing the required bond in respect of my following **four immovable properties**, so that appropriate action may be taken against the said properties in the event of my failure to comply with any of the conditions imposed by this Hon'ble Court.

(A). Land and Building at No.32, Block-A, West Tank Square Street, Saidapet, Chennai – 600015, measuring an extent 2240 sq. (Tide Deed Document No. 2830 of 2014, on the file of Joint Sub Registrar – II, Saidapet)

(B). Vacant Plot bearing Plot No.77 in the layout known as "Sri Selvakrishna Nagar", comprised in Survey No. 70/3 A1 A1 A1 A1, measuring total extent of 1214.28 sq. ft. situated at Poigal Village, Sankarankovil Sub-Registration District, Tenkasi. (Tide Deed Document No. 2023 of 2023, on the file of Sub Registrar, Sankarankovil).

(C) Vacant Plot bearing Plot No. 55, measuring an extent of 198 sq. meters (4.89 cents) in "Shankar Nagar", vide approval of the Joint Director / Assistant Director of Town and Country Planning, Tenkasi District, in N.K. No. 37T513ID/2022/TCP dated 19.01.2023, followed by Panchayat approval vide Permission No. 1/22-23 dated 02.03.2023, and further registered with Tamil Nadu Real Estate Regulatory Authority (TNRERA) bearing Layout Approval No. TN/26/Layout/877/2023 dated 13.03.2023, and presently comprised in Sub-Division Survey No. 377A/1A4A1A2, at Mattalambarai Village, Tenkasi No.1 Joint Sub-Registration District, comprised in Patta No. 1514, originally classified as Ayan Punjai land in Survey No. 377A/1A, measuring various extents aggregating to 1.79.25



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Hectares, including minor extents from Survey Nos. 376/2 and 377A/2A. (Title Deed Document No.1 of 2018, on the file of Joint Sub-Registration, Tenkasi).

(D). Vacant land situated at Sri Selvakrishna Nagar, comprised in Survey No. 86/18, originally measuring Hectare 1.18.5, and as per present subdivision comprised in Survey No. 86/18IA1, measuring Hectare 1.13.50, forming Plot No. 88/18, measuring approximately 1200 sq. ft. (111.48 sq. meters). (Title Deed Document No. 3169 of 2023, on the file of Sub Registrar, Sankarankovil).

(v) I will be available at my mobile number **1-(919)-272-8485** during my stay in the United States and my official Email ID for communication shall be: sakthi@sakthi.in.

(vi) I undertake that my counsel will duly represent me before the Trial Court on all hearing dates of the above case and also in another two cases.

(vii) I further undertake that I will not misuse the liberty granted to me in any manner and will strictly abide by all directions or conditions imposed by this Hon'ble Court.

7. I submit that I will be put to severe hardship and irreparable inconvenience if this Hon'ble Court does not permit me to travel abroad as prayed for. My visit to the United States is essential to fulfil certain family commitments and to attend to important business matters pertaining to my company. I further submit that my travel is also essential for the livelihood of my 60 employees, as I am required to visit the United States in person to secure software projects. Without my visit, it would not be possible to obtain such projects, which would directly affect the continuity of employment and financial stability of my company. On the other hand, no prejudice, inconvenience or hardship will be caused to the Respondent if this Hon'ble Court is pleased to allow this petition,

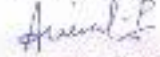


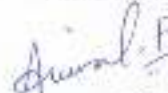
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as I have given undertaking to comply with all conditions to be imposed by this Hon'ble Court for my return within the stipulated period,

Therefore, it is prayed that this Hon'ble Court may be pleased to record this Affidavit containing my undertakings, return my passport bearing No. 5675557516 and permit me to travel to the U.S.A. from 20th January 2026 to 19th February 2026, and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Solemnly affirmed at Chennai
On this the 12th day of January, 2026
and signed his name in my presence.


Before Me

Advocate, Chennai.


(n/s: 5544/21)



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CRL RC Nos. 2809 & 2810 of 2025



Next Hearing Date: 30.01.2026

IN THE HON'BLE HIGH COURT
OF JUDICATURE AT MADRAS

CRL R.C. No. 2810 of 2025 & CRL R.C. No.
2809 of 2025

Sakthivel Petitioner
--Vs--
State represented by
The Inspector of Police
CCB CDD Delta-II
Chennai. (Crime no.09/2025)
..... Respondent



COMMON UNDERTAKING AFFIDAVIT OF
SAKTHIVEL



M/S. T. MURUGANANTHAM (MS. 418/1985)
S. MAREESWARAN (MS. 3288/2012)
M. MUTHU SABAREESAN (MS. 4148/2018)
K. CHARLES (MS. 3211/2023)
COUNSEL FOR PETITIONER

Ph-9843106143

SCANNED