



Crl.RC(MD) No.62 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05-02-2026**

CORAM:

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

Crl.RC(MD) No.62 of 2026

P.Balaji

Petitioner(s)

Vs

State Of Tamilnadu Rep
by Inspector of Police,
Sakkottai Police Station
Sivagangai District.
Crime No.233 of 2024.

Respondent(s)

Prayer: Criminal Revision Case is filed under Section 438 and 442 of BNSS, to call for the records pertaining to Crl.M.P.No.2872 of 2025 on the file of the Learned Principal Sessions Judge, Sivagangai, dated 09.12.2025 and set-aside the same to permit the petitioner for taking medical treatment at Malaysia from 20.01.2026 to 30.03.2026 and pass such other or further orders.

For Petitioner : Mr.Madhava Govindan
for
Mr.L.Ramu

For Respondent : Mr.P.Kottaichamy
Government Advocate (crl.side)



Crl.RC(MD) No.62 of 2026

ORDER

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The present Criminal Revision Case has been filed challenging the order passed in Crl.M.P. No. 2872 of 2025 by the Principal Sessions Judge, Sivagangai, dated 09.12.2025, whereby the petition filed seeking permission for the petitioner to travel to Malaysia from December 2025 to January 2026 for medical treatment was rejected.

2. It is relevant to note that earlier, the petitioner herein had approached this Court in Crl.R.C. (MD) No. 890 of 2025, and the said revision case was disposed of by this Court vide order dated 21.07.2025, wherein it was held that the refusal of permission to travel abroad for medical treatment could not be found fault with, since the investigation was not yet over. However, this Court granted liberty to the petitioner to approach learned Sessions Judge, Sivagangai, after filing of the final report by the respondent police. The said liberty was granted in view of the fact that one of the offences under Section 140(1) of BNS is exclusively triable by the Sessions Court.



Crl.RC(MD) No.62 of 2026

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3. Mr.P.Kottaichamy, learned Government Advocate (Criminal Side) submitted that investigation has now been completed and some of the offences have also been deleted/omitted. The remaining offences are triable by the Judicial Magistrate Court. Therefore, he submitted that in view of the subsequent developments, petitioner may approach the trial Court, viz., the Judicial Magistrate, Karaikudi, in the manner known to law seeking permission to travel abroad for medical treatment.

4. In view of the submissions made by the learned Government Advocate (Criminal Side), this Court is of the view that petitioner is at liberty to file an application before the concerned Court seeking permission to travel for the purpose of medical treatment. If any such application is made, the same shall be disposed of in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of the application.



Crl.RC(MD) No.62 of 2026

5. With the above observations, this Criminal Revision Case is disposed of. No costs.

05-02-2026

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To:

1. The Principal Sessions Court,
Sivagangai.
2. The Judicial Magistrate, Karaikudi.
3. The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.RC(MD) No.62 of 2026

MOHAMMED SHAFFIQ, J

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ORDER
IN

Crl.RC(MD) No.62 of 2026

05/02/2026