

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.13626 of 2015
& M.P.No.1 of 2015

V.V.Sarath Kumar

.. Petitioner

Vs.

1.The Commissioner of Police,
Adithanar Road, Chintadripet,
Chennai-600 002.

2.The Deputy Commissioner of Police,
St. Thomas Mount,
Chennai-600 016.

3.The Assistant Commissioner of Police,
St. Thomas Mount, Chennai-600 016.

4.The Inspector of Police,
All Women Police Station,
Tambaram, Chennai.

5.The Immigration Officer,
Shastri Bhavan, Haddows Road,
Chennai-600 006.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus forbearing the respondents from taking any action pursuant to the Look Out Circular dated 06.03.2015 vide Ref.No.324/Camp/DC-STM/2014-1/3 dated 01.12.2014 and No.213 dated 06.03.2015 by interfering with the rights of the petitioner to travel abroad.

For Petitioner .. Mr.M.Vaidyanathan

For Respondents .. Mr.M.Digvijaya Pandian,
Additional Government Pleader for
R1 to R4

Mr.Su.Srinivasan for R5
A.S.G.,

ORDER

In pursuant to a complaint given against the petitioner for the alleged offence under Sections 376 and 506(i) IPC in Crime No.54 of 2014, All Women Police Station, Tambaram, a look out notice was issued. After the said look out notice, the petitioner was arrested. Thus, the relevancy of the look out notice got lost. The petitioner was taken into custody. The custodial interrogation of the petitioner is over and the matter is pending at the investigation stage. While granting bail on 26.03.2015 in Crl.O.P.No.7467 of 2015, this Court directed the petitioner to appear before the Investigation Officer. The petitioner has also complied with the conditions.

2. The learned counsel appearing for the petitioner submitted that the petitioner would co-operate with the further investigation, if he is so required. A representation has also been made by the petitioner to the second respondent to withdraw the look out notice in view of the subsequent developments. A similar letter was also sent to the fourth respondent. Considering the above, this Court is of the view that there is no necessity to keep the look out notice in force, as the petitioner has co-operated with the investigation and also taking into consideration of the subsequent developments. Further, it is also not in dispute that the petitioner's permanent address is known to the official respondents. Accordingly, the order impugned is hereby set aside and the writ petition is allowed. The petitioner is directed to co-operate with the investigation, if he is so required, and after the final report being filed in pursuant to the committal, he should appear before the Court without fail. If the petitioner does not comply with the condition, it is well open to the respondents concerned to take appropriate action. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

True Copy सत्यमेव जयते

Sub Assistant Registrar

raa

To

1.The Commissioner of Police,
Adithanar Road, Chintadripet,
Chennai-600 002.

2.The Deputy Commissioner of Police,
St. Thomas Mount, Chennai-600 016.

3.The Assistant Commissioner of Police,
St. Thomas Mount, Chennai-600 016.

4.The Inspector of Police,
All Women Police Station,
Tambaram, Chennai.

5.The Immigration Officer,
Shastri Bhavan, Haddows Road,
Chennai-600 006.

1 cc to Mr. .M.Vaidyanathan, Advocate Sr.No.46503

1 cc to Government Pleader.Sr.No.46324

W.P.No.13626 of 2015

skv(co)
pmk.15.9.2015



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