

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.3373 of 2015

and

M.P.No.1 of 2015

Prasanna Santhanam

...Petitioner

Vs.

1. State by,
Inspector of Police,
W26 All Women Police Station,
Ashok Nagar,
Chennai - 53.

2.Preeti Sampath
(Intervenor/Defacto Complainant)

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondent police and the Deputy Commissioner of Police of Ashok Nagar Police Station jurisdiction to withdraw the lookout circular issued to the Immigration Authorities, India against the petitioner pending investigation of the case in the Crime No.13 of 2014 on the file of the Inspector of Police, W26 All Women Police Station, Ashok Nagar, Chennai.

For Petitioner : Mr.A.Natarajan
Senior Counsel

For Ms.A.Madhumathi

For Respondents No.1 : Mr.C. Emalias

Addl. Public Prosecutor

For Respondents No.2 :Mr.K.P.Sanjeev Kumar

O R D E R

The criminal original petition has been filed to direct the respondent police and the Deputy Commissioner of Police of Ashok Nagar Police Station jurisdiction to withdraw the lookout circular issued to the Immigration Authorities, India against the petitioner pending investigation of the case in the Crime No.13 of 2014 on the file of the Inspector of Police, W26 All Women Police Station, Ashok Nagar, Chennai.

2. Heard the learned Senior Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first

respondent and the learned counsel appearing for the second respondent.

3. It is seen that on a complaint lodged by one Preeti Sampath, the respondent police registered a case in Crime No.13 of 2014 under Sections 498 (A) and 354 (D) I.P.C against three accused including the petitioner. After registering an FIR, it appears that at the request of the Deputy Commissioner of Police, Ashok Nagar, look out circular was issued to the Immigration Authorities, so as to prevent the petitioner from going out of India. It is seen that this petitioner has got interim Anticipatory Bail from this Court in CrI.OP.No.49 of 2015 on 28.01.2015 with further direction to the petitioner to appear before the Mediation & Conciliation Centre.

4. The respondent very strongly opposed the prayer of the petitioner, but, this Court, taking into consideration the fact situation, is of the view that it is a fit case, in which, the look out circular should be revoked.

5. In view of the fact that this Court has granted Interim Anticipatory Bail and further, the allegation against the petitioner is under Sections 498(A) and 354 (D) IPC, it will be travesty of justice, if the movement of this petitioner is completely curtailed for, that will lead to his losing of job and it will only further increase the acrimony between the spouses. The petitioner is not accused of anti national activities to be prevented from going abroad.

6. In view of the above, this Court directs the respondent to immediately recall the look out circular. However, whenever the petitioner wants to go abroad, he is directed to file an affidavit before the XVII Metropolitan Magistrate, Saidapet, Chennai, in Crime No.13/2014 where the FIR is pending disclosing his itinerary and address. He should be available for interrogation by the police as and when required.

With the above, this petition is allowed. Consequently, connected miscellaneous petition is closed.

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-s/d-

Assistant Registrar (CSIV)
dt:31/07/2015

True Copy

Sub-Assistant Registrar

sms

To

1. Inspector of Police,
W26 All Women Police Station,
Ashok Nagar,
Chennai - 53.

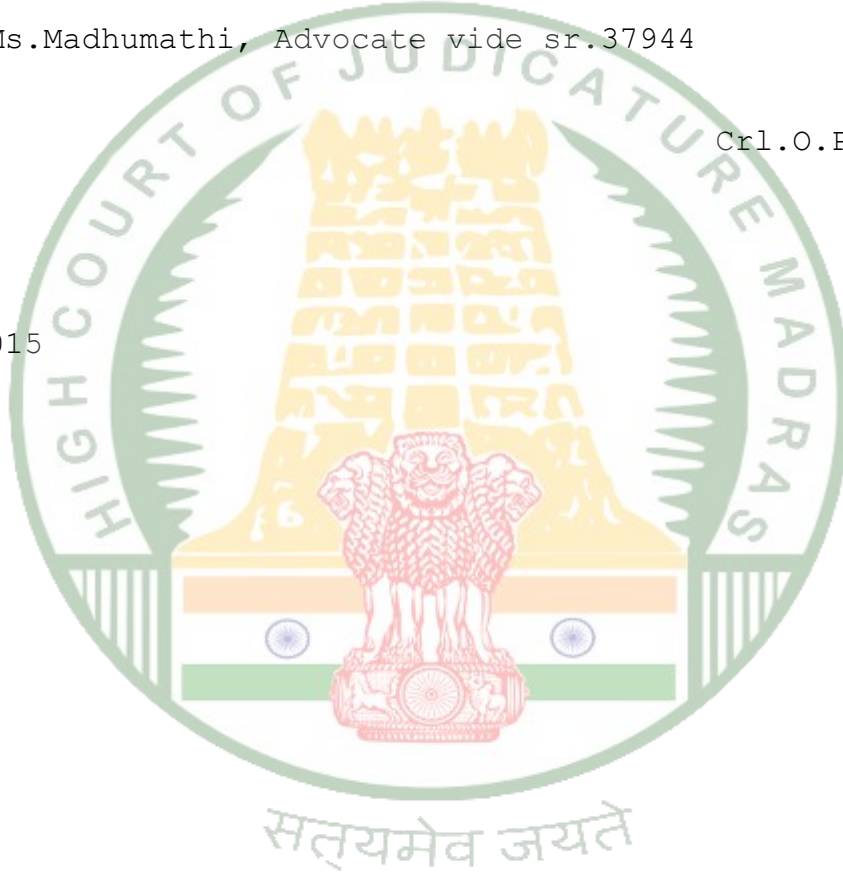
2.The XVII Metropolitan Magistrate,
Saidapet, Chennai-5

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Ms.Madhumathi, Advocate vide sr.37944

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