

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.5173 of 2015

BETWEEN

B. Srinivas Goud.

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary, Home Department,
Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. S. MADHAV RAO

Counsel for the Respondents: GP FOR HOME (TG)

**MR. B. NARAYANA REDDY
(ASST. SOLICITOR GENERAL)**

The Court made the following:

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ORDER:

Petitioner herein seeks to recall the look out circular issued by the respondents against him relating to FIR.No.32 of 2013 pending before the Women Police Station, Begumpet. After filing of the charge sheet, learned

XV Additional Chief Metropolitan Magistrate, Hyderabad has taken cognizance of the charge sheet and the case was numbered as C.C.No.136 of 2013 and the petitioner is A1 in the said case.

The present writ petition is filed seeking a Mandamus against the inaction of the respondents, particularly respondent No.4, in withdrawing the said look out circular and seeks to recall the said look out circular.

2. Learned Assistant Government Pleader obtained instructions, which state that the petitioner has already surrendered before the Court and enlarged on bail. Petitioner filed an application CrI.MP.No.3068 of 2014 in C.C.No.136 of 2013 seeking permission to leave India for United States of America for a period of 45 days till 31.01.2015 on the ground that he is a Green Card holder and he has to be there within six months to continue such status. The trial Court by order dated 04.12.2014 allowed the said petition subject to the condition that the petitioner shall cooperate with the complainant to get the passport of her son renewed. It is stated that meanwhile the petitioner made an application for withdrawal of look out circular, however, the counter affidavit states that if the petitioner leaves to USA to India without permission of the Court, it would be difficult to produce him as and when required by the trial Court. Hence, the request of the petitioner for withdrawal of look out circular was not accepted by the respondents.

3. I have had an occasion to hear and dispose of similar writ petition, being WP.No.3213 of 2015, by order dated 06.03.2015. Following the directions in the said writ petition, the petitioner is given liberty to make an appropriate application before the learned

XV Additional Chief Metropolitan Magistrate, Hyderabad before whom C.C.No.136 of 2013 is pending. The learned Magistrate shall consider the said application in accordance with law and pass appropriate orders.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

March 18, 2015

Note:

1. Office to attach a copy of the order in WP.No.3213 of 2015 dated 06.03.2015.
 2. Furnish C.C. of the order by 20.03.2015.
- (B/o) DSK