

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.35821 of 2015

ORDER:

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The grievance of the petitioner was that the police authorities did not withdraw the Lookout Circular issued against him despite his arrest and subsequent release on bail in Crime No.20 of 2014 on the file of Women Police Station, Begumpet, North Zone, Secunderabad.

Written instructions dated 12.11.2015 were furnished by the Inspector of Police, Women Police Station, Begumpet, stating that the petitioner's wife lodged a complaint whereupon Crime No.20 of 2014 was registered under Sections 120-B, 327, 385, 403, 498-A and 506 I.P.C. read with Section 34 I.P.C. and Sections 4 and 6 of the Dowry Prohibition Act, 1961. Pursuant thereto, the petitioner was stated to have been arrested on 10.11.2014 when he returned to India. After completion of investigation, a charge sheet was also laid before the learned XV Additional Chief Metropolitan Magistrate, Hyderabad, vide C.C.No.377 of 2015. The petitioner is shown as the first accused therein.

Insofar as the Lookout Circular is concerned, it was stated that the Deputy Commissioner of Police, North Zone, Hyderabad, addressed letter dated 28.02.2014 to the Additional Director General of Police, CID, Hyderabad, requesting him to issue the said Circular against the petitioner as he was expected to visit India. Pursuant thereto, the Lookout Circular was issued. However, when the petitioner returned to India, he was arrested on 10.11.2014 and subsequently enlarged on bail. When the trial Court refused to return his passport, the petitioner filed CrI.R.P.No.407 of 2014 before the learned Metropolitan Sessions Judge, Hyderabad, and by order dated 10.12.2014, the learned Sessions Judge permitted return of the passport to the petitioner upon his depositing a sum of Rs.3,00,000/- by way of a fixed deposit before the trial Court and in the event he failed to return to India as directed, the learned Sessions Judge permitted his wife, the complainant, to withdraw the said amount. The petitioner was also held liable to be proceeded against in accordance with law in the event of his failure to return.

In the light of the afore-stated facts, as a charge sheet has already been laid

against the petitioner in C.C.No.377 of 2015 before the learned XV Additional Chief Metropolitan Magistrate, Hyderabad, it would be appropriate that he move a suitable application before the said Court for withdrawal of the Lookout Circular issued against him in the year 2014. If such an application is filed, it would be open to the said Court to examine the matter on its own merits and pass appropriate orders thereon in accordance with law. It is hoped that the Court below would deal with the matter with due expedition as it is stated that the petitioner seeks to return to India owing to the ill health of his father.

The writ petition is disposed of with the above directions. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

12th November, 2015

Note:-

Issue CC today itself.

B/o

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