

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.19190 of 2016

Maraiyarasu

.. Petitioner

Vs

State by

Inspector of Police

W-28, All Women Police Station

Ambattur, Chennai.

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to recall or cancel the Look out Circular issued to all Airport Immigration Authorities in Crime No.8 of 2015 or such other direction as this Hon'ble Court may deem fit and proper to enable the petitioner to comply with the conditions imposed in the anticipatory bail order passed by the Hon'ble High Court in Crl.O.P.No.15641 of 2016 dated 09.08.2016.

For Petitioner : Mr.S. Udhiyasankar

For Respondent : Mr.C.Emalias,
Addl.Public Prosecutor

For Intervenor : Mr.V.Sundararaman

O R D E R

This petition has been filed to recall or cancel the Look out Circular issued to all Airport Immigration Authorities in Crime No.8 of 2015 or such other direction as this Hon'ble Court may deem fit and proper to enable the petitioner to comply with the conditions imposed in the anticipatory bail order passed by the Hon'ble High Court in Crl.O.P.No.15641 of 2016 dated 09.08.2016.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the State and the learned counsel appearing for the Intervenor.

3. On the complaint lodged by Sudha, the respondent police registered a case in Crime No.8 of 2015 and after completing the investigation has filed a final report in C.C.No.99 of 2016, for offences under Section 498A and 406 IPC against the petitioner herein. While so, the petitioner

filed Crl.O.P.No. 15641 of 2016 before this Court for anticipatory bail and this Court by an order dated 09.08.2016 has granted anticipatory bail on condition that the petitioner shall surrender before the Judicial Magistrate, Ambattur, within fifteen days from the date of receipt of a copy of the order and furnish sureties.

4. Learned counsel appearing for the petitioner submitted that the petitioner is in Singapore if the look out circular is issued, he cannot comply with the bail conditions and he will be arrested and remanded at immigration.

5. Mr.V.Sundaram, Learned counsel for the intervenor strongly objected the contentions of the learned counsel appearing for the petitioner.

6. This Court gave its anxious consideration to the rival submissions.

7. The facts remains that investigation in Crime No. 8 of 2015 has been completed and final report has been filed in C.C.No.99 of 2016. This Court has also granted anticipatory bail to the petitioner and therefore, it is imperative that the petitioner has to surrender before the Trial Court in compliance with the anticipatory bail order passed.

6. Under such circumstances, this Court is of the view that it will be in the interest of justice that the respondent is directed to immediately recall the look out circular issued.

7. In the result, this petition is allowed and the respondent is directed to take steps to recall the look out circular within one week from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

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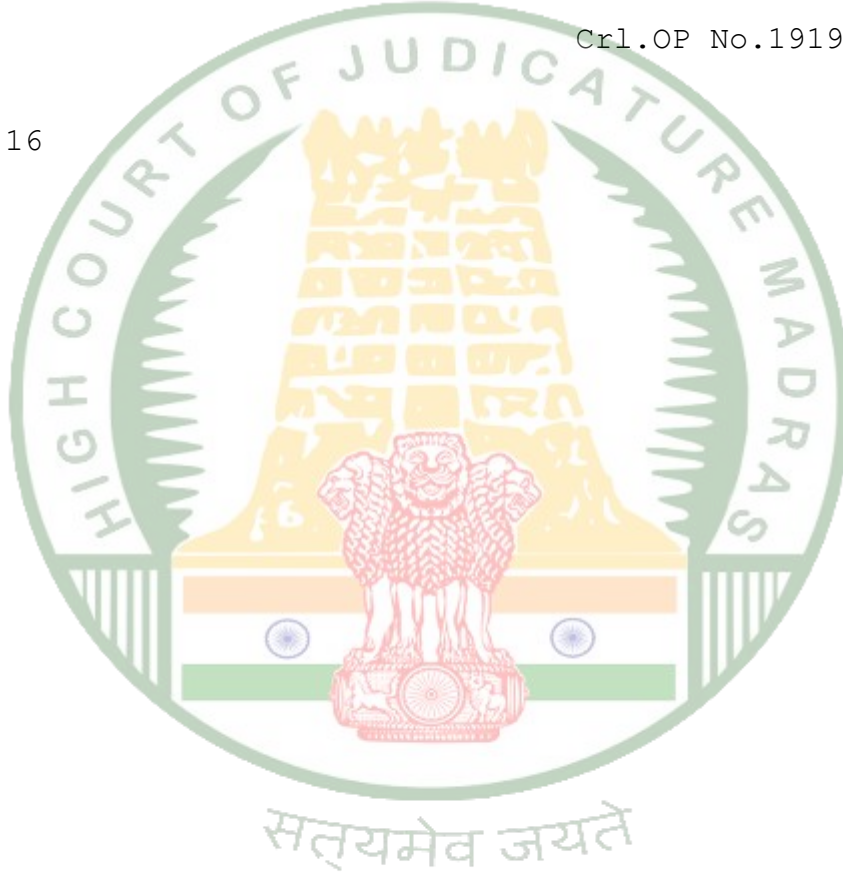
1. Inspector of Police
W-28, All Women Police Station
Ambattur, Chennai.

2. The Public Prosecutor, High Court, Madras.

1 cc to Mr.S. Suresh, Advocate sR.49063

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SV(CO)
Eu 07.09.16



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