

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION No.2919 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to grant an appropriate Writ, order or direction more particularly one in the nature of Writ of mandamus declare the action of the respondents in issuing a look out circular is illegal, arbitrary, violation of principles of natural justice and as well as the fundamental rights guaranteed under the constitution of India and consequently direct the respondents to allow the petitioner to go abroad (Canada) and pass such other order or orders as this Hon'ble Court may deemed fit and proper in the circumstances of the case and in the interests of justice.”

However, perusal of the order dated 18.01.2016 passed by the learned XIII Additional Chief Metropolitan Magistrate at Hyderabad, in CrI.M.P.No.182 of 2015 in Cr.No.768 of 2015 (P.S. WPS CCS HYD), whereby the petitioner was granted bail, reflects that he was directed not to leave India without prior permission from the Court.

It is fairly admitted by Sri Nageshwar Rao Pujari, learned counsel for the petitioner, that this order is still operating.

That being so, it is not open to the petitioner to seek any relief with regard to the Lookout Circular said to have been issued against him as he is, in any event, not at liberty to leave the country without the permission of the Court. As and when he approaches the learned III Additional Chief Metropolitan Magistrate, Hyderabad, for such permission, he would have to seek appropriate relief vis-à-vis the impugned Lookout Circular also. At this stage, he cannot maintain a writ petition against the Lookout Circular.

The writ petition is accordingly dismissed reserving liberty to the petitioner to take appropriate measures in accordance with law in terms of the bail order.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Date:01.02.2016

GJ