

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36611 of 2016

ORDER:

The present writ petition is filed by the petitioner under Article 226 of the Constitution of India, seeking to declare the inaction of the 2nd respondent in cancelling the lookout notice, dated 25.05.2016, issued in Crime No.204 of 2015 on the file of the 3rd respondent, even after filing of charge sheet and granting bail to the petitioner.

Heard and perused the material available on record.

The wife of the petitioner lodged a complaint against the petitioner before the Station House Officer, Women Police Station, Visakhapatnam City - 3rd respondent, and the same was registered as Crime No.204 of 2015 for the offences under Section 498-A IPC and 8 of the PCFSO Act. Consequently, lookout notice was issued against the petitioner, by the 2nd respondent. Subsequently, the petitioner was arrested and remanded to judicial custody and thereafter, he was released on bail. The main grievance of the petitioner is that in view of pendency the lookout notice against him, he is not in a position to go abroad on his job and it will cause prejudice to him, and hence, he requested to set aside the lookout notice issued against him by the 2nd respondent.

Learned Additional Government Pleader for Home submitted that in case the lookout notice is cancelled, the petitioner may not appear before the Court concerned, for the trial of the case.

Considering the rival contentions, this Court is inclined to pass the following order:

The lookout notice, dated 25.05.2016, issued by the 2nd respondent against the petitioner is hereby set aside and the petitioner is directed to appear before the Court concerned, as and when his presence is required and also represent his case through counsel on all hearing dates.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 28, 2016.
KTL

