

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 15.06.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH**W.P. (MD) No.11131 of 2017**

P.Balamurugan

... Petitioner

Vs.

1. The Emigration Officer,
Emigration Department,
Madurai Airport, Madurai.

2. The Superintendent of Police,
Madurai.

3. The Inspector of Police,
All Women Police Station,
Melur,
Madurai.

4. Murugeshwari

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondent Nos.1 to 3 to delete the LOC (Look Out Circular) as against the petitioner and consequently permit the petitioner to Emigrate India for doing his work at Kuwait within stipulated time frame by this Court.

For Petitioner : Mr.R.M.Arun Swaminathan for
M/s.Chettinad Legal Solutions

For Respondents : Mr.T.S.Mohammed Mohindeen for R2 & R3
Additional Government Pleader
Mr.C.Nandagopal for R1

ORDER

On the complaint lodged by the fourth respondent, the third respondent registered a case in Crime No.29 of 2017 against the petitioner and four others for the offence under Sections 498A and 506(i) IPC on the file of All Women Police Station, Melur, Madurai and during investigation, the second respondent has sought for issuance of a Look Out Circular to ensure that the petitioner is apprehended at the Airport. This writ petition has been filed for a direction to the respondent Nos.2 and 3 to recall the Look Out Circular.



2. Heard, the learned counsel for the petitioner, the learned counsel for the first respondent and the learned Additional Government Pleader for the respondents 2 and 3.

3. The learned counsel for the petitioner fairly submitted that the petitioner was arrested on 01.05.2017 and thereafter he was released on bail.

4. In view of the above and in the light of the fact that the petitioner is not an accused in any heinous offence like murder etc., but only an accused in a matrimonial offence, this Court is of the view, it will be in the interest of justice, if the Look Out Circular is recalled. Therefore, this Court directs the respondents 2 and 3 to recall the Look Out Circular, within a period of one week from the date of receipt of a copy of this order. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Emigration Officer,
Emigration Department,
Madurai Airport, Madurai.
2. The Superintendent of Police,
Madurai.
3. The Inspector of Police,
All Women Police Station,
Melur,
Madurai.

+1cc to M/S.CHETTINAD LEGAL SOLUTION, SR.No.60350.
+1cc to Special Government Pleader, SR.No.60593.

Order made in
W.P. (MD) No.11131 of 2017
15.06.2017

SDS/SV:MMS/SAR 1/16.06.2017/2P/6C