

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.1262 of 2017**

**ORDER:**

This writ petition is filed seeking to declare the issuance of Look Out Circular (LOC) against the petitioner in FIR No.105 of 2012, on the file of the 3<sup>rd</sup> respondent at the instance of the 4<sup>th</sup> respondent, as illegal and arbitrary and consequently to recall the same.

Heard and perused the material available on record.

The 4<sup>th</sup> respondent filed a private complaint before the concerned Court, which was referred to the 3<sup>rd</sup> respondent on 26.03.2012 under Section 156(3) IPC and the 3<sup>rd</sup> respondent registered the said complaint as FIR No.105 of 2012 on 26.03.2012 for the offences under Sections 498-A, 420 IPC read with 34 IPC and Sections 4 & 6 of the Dowry Prohibition Act against the petitioner and others. It is alleged in the above said complaint that the petitioner is impotent and he is unfit to perform sexual intercourse due to an accident met at London.

The main grievance of the petitioner is that the 3<sup>rd</sup> respondent issued Look Out Circular against the petitioner since there is absence of the petitioner and that the petitioner is apprehending arrest in the hands of the 3<sup>rd</sup> respondent in view of the Look Out Circular pending against the petitioner.

After arguing for some time, learned counsel for the petitioner confined his arguments only to the extent of recalling the Look Out Notice issued against the petitioner. He further submitted that the petitioner intends to surrender before the Court and to face the trial by engaging counsel.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, this Court is inclined to pass the following order:

The execution of Look Out Circular issued against the petitioner is suspended. The petitioner is directed to surrender before the concerned Court on or before 16.02.2017 and file an application seeking to recall the Look Out Circular issued against him. On filing of such application, the concerned Court shall recall the Look Out Notice on the same day on the petitioner's execution of a personal bond for Rs.5,000/- (Rupees five thousand only) with one surety for the like sum. The petitioner is further directed to appear before the concerned Court regularly.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.



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**RAJA ELANGO,J**

Date: 6<sup>th</sup> January, 2017

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