

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.2299 of 2018

Yuba T.Reichard

... Petitioner

Vs.

1.State rep by
The Inspector of Police,
Central Crime Branch,
Chennai.
(Crime No.233 of 2012)

2.The Deputy Commissioner of Police,
Central Crime Branch,
Chennai.

3.The Chief Immigration Officer,
Bureau of Immigration,
Sasthri Bhavan,
Haddows Road,
Nungambakkam,
Chennai - 600 006.

.... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents herein to withdraw the look out circular issued against the petitioner in connection with C.C.No.1173 of 2017 pending before the Learned Judicial Magistrate, Alandur in Crime No.233 of 2012 on the file of the Inspector of Police, Central Crime Branch, Chennai.

For Petitioner : Mr.R.Shanmugasundaram,
Senior Counsel
for Mr.A.Gopinath

For Respondents : M/s.P.Kritika Kamal,
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner seeking a direction to the respondents herein to withdraw the look out circular issued against the petitioner in connection with C.C.No.1173 of 2017 pending before the Learned Judicial Magistrate, Alandur.

2. Heard learned senior counsel appearing for the petitioner as well as the learned Government Advocate (Crl. side) appearing for the respondents.

3. Learned Government Advocate (Crl. side) on instructions, submitted that the LOC No.446541 has been issued on 24.11.2014 in Crime No.233 of 2012 against the petitioner herein. By a letter dated 31.01.2018, the Deputy Commissioner of Police, Central Crime Branch, Chennai had recommended the Regional Passport Officer, Chennai to revoke the LOC issued against the petitioner herein, since the investigation in Crime No.233 of 2012 has completed and charge sheet has also been filed before the learned Judicial Magistrate, Alandur.

4. It is also brought to my notice that another complaint has also been registered in Crime No.154 of 2012 before the first respondent police against the petitioner herein, which is said to be pending investigation.

5. On instructions, learned Government Advocate (Crl. side) submitted that no LOC has been issued against the petitioner in connection with Crime No.154 of 2012, as such, it can only be concluded that as on date, there is no LOC pending as against the petitioner herein, in view of earlier recommendation of the Deputy Commissioner of Police, Chennai to revoke the earlier LOC dated 24.11.2014

6. Since the only complaint that is pending against the petitioner herein in Crime No.154 of 2012 could not be completed, in view of the petitioner's absence. It would be appropriate to direct the petitioner herein to participate in the investigation, since there is no apprehension of arrest under the LOC.

7. Learned senior counsel appearing for the petitioner submits that the petitioner is willing to co-operate with the investigation and appear before the respondents for the purpose of investigation.

8. In the result, the Criminal Original Petition stands allowed.

9. In the light of the recommendation of the Deputy Commissioner of Police, Chennai dated 31.01.2018, since the charge sheet has already been filed in C.C.No.1173 of 2017 on the file of the learned Judicial Magistrate, Alandur, the LOC issued against the petitioner herein in connection with Crime No.233 of 2012 stands quashed. Since the petitioner has offered to cooperate with the investigation in ***Crime No. 154 of 2012**, the respondents police shall not apprehend the petitioner during her visit to India. Consequently, the petitioner is directed to appear before the respondent police on 7th, 8th and 9th of February 2018 between 4 p.m. to 6 p.m.

01.02.2018

Sd/-
Assistant Registrar(CS V)

Corrected as per order
dated 02/02/2018 made in
Crl.Op.No.2299/2018
sd/-
Sub.Assistant Registrar
02/02/2018

//True Copy//

Sub Assistant Registrar

nl

To

1.The Inspector of Police,
Central Crime Branch,
Chennai.
(Crime No.233 of 2012)

To be substituted to the
order already dispatched
01/02/2018

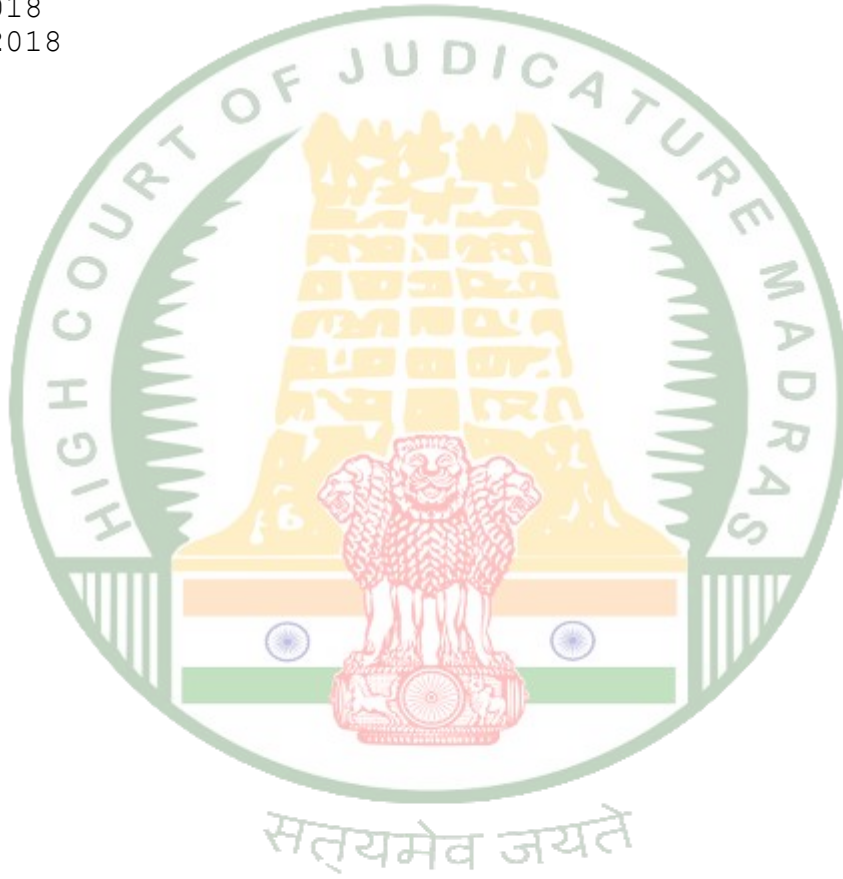
2.The Deputy Commissioner of Police,
Central Crime Branch,
Chennai.

3.The Chief Immigration Officer,
Bureau of Immigration,
Sasthri Bhavan,
Haddows Road,
Nungambakkam,
Chennai - 600 006.

+1 cc to Mr.A.Gopinath Advocate sr 7509

Cr1.O.P.No.2299 of 2018

aa01/02/2018
nr 02/02/2018



WEB COPY