

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.7481 OF 2018

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue any writ or direction more particularly one in the nature of Writ of Mandamus declaring the issuance of lookout circular as against petitioner on the ground of pendency of Criminal proceedings emanating from Crime No 224/2013 on the file of the Women Police Station, South Zone, Hyderabad and the consequential CC 90/2011 pending on the file of the XV Additional Chief Metropolitan Magistrate, Hyderabad at Nampally is in violation of the petitioner’s rights guaranteed under Article 21 of the Constitution of India as well in violation of Sec.105 of Cr.P.C and other relevant statutory provisions and executive instructions and consequently direct the respondents to withdraw the lookout circular issued against the petitioner having passport No.M6568485.”

2. Heard Sri Raja Reddy Koneti, learned counsel for the petitioner, Sri K.Lakshman, learned Assistant Solicitor General appearing for respondent Nos.1 to 3, and the learned Government Pleader for Home (Telangana) appearing for respondents 4 to 6, apart from perusing the material available on record.

3. When the matter is taken up, it is brought to the notice of this Court that in identical set of circumstances, this Court disposed of W.P.No.14222 of 2015 on 16.06.2015 and a copy of the said order is placed on record. The operative portion of the said order reads as under:

“In view of the above, taking into consideration the nature of controversy and having regard to the facts and circumstances of the case, this Court deems it appropriate to dispose of the Writ Petition, permitting the petitioner herein to move the Court of XV ACMM Court at Nampally, Hyderabad, where C.C.No.179 of 2015 is pending and to make an appropriate application within one week from today seeking withdrawal of Look Out Circular (LOC) and it is also made clear that the petitioner is at liberty to set out the reasons for making the said request including that he has already surrendered and has been abiding with the directions issued from time to time by the Court. If such an application is made by the petitioner, the learned XV ACMM, Nampally, Hyderabad shall consider the same in accordance with law and pass appropriate orders expeditiously preferably within a period of two weeks thereafter. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs”.

4. Following the above said order and for the reasons recorded therein, the present Writ Petition is disposed of, in terms thereof permitting the petitioner herein to approach appropriate forum of law.

5. As a sequel, the miscellaneous petitions pending, if any, in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE A.V.SESHA SAI

Date : 07.03.2018

Note:- Furnish C.C. within two (2) days.

B/O
AMD

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI



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Date: 07.03.2018

AMD