

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1691 of 2019

J.Velmurugan

...Petitioner

Vs.

1.State Rep. By,

The Inspector of Police,
All Women Police Station,
Tambaram, Chennai.

2.Bureau of Immigration, rep. by

Foreigner Regional Registration Officer,
Shastri Bhawan Annex Building,
No.26, Haddows Road, Nungambakkam,
Chennai - 600 006.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to recall the look out notice issued to the second respondent as against the petitioner herein in Crime No.32 of 2016 on the file of the first respondent.

For Petitioner : M/s.Kamachi.D

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for direction to the first respondent police to withdraw the lookout notice issued against the petitioner in Crime No.32 of 2016.

2. There is a matrimonial dispute between the parties, which resulted in a complaint given by the wife and the same was registered in Crime No.32 of 2016 for an offence under Sections 498(A) and 406 IPC.

3. The petitioner is residing at Australia. Therefore, a lookout notice came to be issued against the petitioner. This F.I.R. has been challenged before this Court in Crl.O.P.No.1007

of 2017 and this Court has granted stay of investigation.

4. The learned counsel for the petitioner submitted that in spite of best efforts, the parties were not able to reach any settlement. The learned counsel further submitted that this Court has already entertained the quash petition and granted the stay of investigation and therefore the lookout notice must be withdrawn by the respondent police, since the petitioner is not able to visit India.

5. In view of the fact that the F.I.R. is already under challenge before this Court and the stay is also granted by this Court, no useful purpose will be served by keeping the lookout notice alive against the petitioner. This lookout notice was issued in the year 2016 and it has been in force till date.

6. This Criminal Original Petition is disposed of with a direction to the first respondent to take steps immediately to recall the lookout notice issued against the petitioner and give appropriate instructions to the second respondent regarding the same. This exercise shall be completed by the first respondent within a period of four weeks from the date of receipt of copy of this order.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

vsa/msrm

To

1. The Inspector of Police,
All Women Police Station,
Tambaram, Chennai.
2. Bureau of Immigration, rep. by
Foreigner Regional Registration Officer,
Shastri Bhawan Annex Building,
No.26, Haddows Road, Nungambakkam,
Chennai - 600 006.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+3 Ccs to M/s.D. Kamachi, Advocate sr 5955 & 5418.

Cr1.O.P.No.1691 of 2019

SP(05/02/2019)