

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.9348 of 2019

J.Ramesh

... Petitioner

Vs

The Superintendent of Police,
Cuddalore District,
Cuddalore.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to directing the respondent to issue Look Out Circular against Mrs.A.Priya Varma, w/o.G.Ashwa Varma in all the International as well as Domestic Airport all over India.

For Petitioner : Mr.S.Sathishrajan
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to directing the respondent to issue Look Out Circular against Mrs.A.Priya Varma, w/o.G.Ashwa Varma in all the International as well as Domestic Airport all over India.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The petitioner submits that he is the absolute owner of the property bearing Door No.424, 13th cross street, Anugraha Satellite Township, Periyakattupalayam Village, Cuddalore 605 007. The petitioner had inducted one Mrs.A.Priya Varma w/o.Ashwa Varma as his tenant. The said Mrs.A.Priya Varma defaulted in payment of monthly rents. After several insistence and demand made by the petitioner, in discharge of her legally enforceable liability, she had issued a cheque in favour of the petitioner, vide cheque bearing cheque No.313781 dated 10.03.2017 for a sum of Rs.5,00,000/- (towards arrears of rent) drawn on Canara Bank, Thavalakuppam Branch, Cuddalore. The said cheque was dishonoured on its presentation for lack of funds on 13.03.2017. After issuing a statutory notice dated 22.04.2017, the petitioner has made a private complaint before the Judicial Magistrate/Fast Track Court Magisterial Level, Ambattur which was taken on file in C.C.No.224 of 2017. The summons to the accused viz., Mrs.A.Priya Varma was served and Magistrate issued a Non - Bailable Warrant

on 13.11.2017 which was sent to the Inspector of Police, Reddychavadi Police Station for execution. The Inspector of Police sent a Letter to the Court stating that the accused has not been found. The warrant could not be executed since she evaded the legal process. The petitioner has filed an application in C.M.P.No.579 of 2018 under Section 82 of Cr.P.C., to declare the accused as proclaimed as offender. The petitioner had sent a representation to the respondent on 25.01.2019 requesting the respondent to issue Look Out Circular as against the accused. Hence, this petition has been filed.

4.Considering the above facts and circumstances, the respondent is directed to consider the representation of the petitioner dated 25.01.2019 seeking issuance of Look Out Circular of the accused person in the 138 proceedings in C.C.No.224 of 2017 on the file of Judicial Magistrate, Ambattur in the light of the order passed by the learned Magistrate in C.M.P.No.579 of 2018 in C.C.No.224 of 2017 by an order dated 06.04.2018 within a period of four weeks from the date of receipt of a copy of this order.

5.Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS iii)

//True Copy//

Sub Assistant Registrar

rna
To

1.The Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Judicial Magistrate, Ambattur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Sathishrajan , Advocate SR.No. 33971

CrI.O.P.No.9348 of 2019

rsi (CO)

A.SK(06/05/2019)