

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11207 of 2019
and
W.M.P No.11587 of 2019

Immanuel Moses

...Petitioner

Vs.

1. Deputy Director,
Bureau of Immigration,
East Block - VIII, R.K Puram,
New Delhi-110 066.

2. Ministry of Home Affairs,
Represented by its Secretary,
North Block,
New Delhi-110 001.

3. Deputy Commissioner of Police,
Central Crime Branch-I,
Vepery,
Chennai-600 007.

4. Inspector of Police,
Central Crime Branch-I,
Vepery,
Chennai-600 007.

5. R.Manickaraj

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of declaration, declaring that the "Look Out Circular" issued by the 1 to 4 Respondents as against the petitioner herein is arbitrary, abuse of authority, vitiated by mala fide, and consequently cancel the "Look Out Circular" issued as against the petitioner herein.

For Petitioner : Mr. M.Pradeep Shankar

For Respondents : Mr. M.Mohamed Riyaz
Additional Public Prosecutor
(R3 and R4)

For 5th Respondent : Mr.Habeeb Rahaman

ORDER

This Writ Petition has been filed challenging the Look Out Circular issued by the respondents 1 to 4 against the petitioner.

2. During the pendency of the writ petition, interim order was passed by this Court directing the respondent police to keep the Look Out Circular pending in order to enable the petitioner to come back to India. Accordingly, the Look Out Circular was kept in abeyance and the petitioner has also returned back to India.

3. Thereafter, the petitioner has filed a petition for anticipatory bail and this Court had granted anticipatory bail by imposing certain conditions.

4. The learned counsel for the petitioner submitted that the petitioner has requested the counsel to hand over the bundle and give change of vakalat.

5. The learned Additional Public Prosecutor submitted that in view of the subsequent development, nothing survives in this writ petition and the petitioner has to necessarily comply with the conditions imposed by this Court, while granting anticipatory bail.

6. The learned counsel for appearing on behalf of the de-facto complainant submitted that the petitioner did not comply with the conditions imposed by this Court while granting anticipatory bail.

7. This Court has carefully considered the submissions made on either side and also the materials placed on record.

8. In view of the subsequent development and the fact that the petitioner has already returned back to India and his Look Out Circular has been kept in abeyance and the petitioner has been directed to report before the respondent police during the investigation, by means of a condition imposed while granting anticipatory bail, no further orders can be passed in this writ petition at this stage.

9. This Writ Petition is disposed of accordingly.
Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

- 1.The Deputy Director,
Bureau of Immigration,
East Block - VIII, R.K Puram,
New Delhi-110 066.
2. The Ministry of Home Affairs,
Represented by its Secretary,
North Block,
New Delhi-110 001.
3. The Deputy Commissioner of Police,
Central Crime Branch-I,
Vepery,
Chennai-600 007.
4. The Inspector of Police,
Central Crime Branch-I,
Vepery,
Chennai-600 007.
- 5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Rajnish Pathiyil, Advocate SR.No.62897

+2cc to Mr.A.Edwin Prabakar, Advocate SR.No.62497

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VG II(CO)
GMY(20/08/2019)