



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CRL.O.P. (MD)No.4090 of 2019

and

CrI.M.P. (MD) .Nos.2439 & 2440 of 2019

1.K.Arun

2.Lekshmi

: Petitioners / Accused Nos.1 & 2

-Vs-

1. The Inspector of Police,
All Women Police Station,

Nagercoil, Kanyakumari District. : Respondent / Complainant

2.N.Vani

: Respondent / De facto
Complainant

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records in Crime No.38 of 2018, on the file of the All Women Police Station, Nagercoil, Kanyakumari District and to quash the same as against the petitioners.

For Petitioners : Mr.S.C.Herold Singh

For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (CrI. side)

O R D E R

The petitioner, husband of the *de facto* complainant, has been arrested when he returned home from abroad by the immigration officials based on a look out notice issued by the Superintendent of Police, Kanyakumari District, on the ground that the petitioner is an accused in the present case in Crime No.38 of 2018, now under investigation by the first respondent.

2.The learned Government Advocate (CrI. side) submitted that the investigation is completed on 29.12.2018.

3.The learned counsel appearing for the petitioner would submit that the case was registered when the petitioner was abroad and he <https://hservices.mca.gov.in/hservices> to appear either before the Police or before the concerned Magistrate.



4. Taking into consideration, the totality of the real submissions made, since the final report is laid, this Court does not want to interfere with the present First Information Report. The petitioner is at liberty to challenge the final report, if there are grounds existing therein.

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5. The learned Magistrate is directed to explore the possibility of the amicable settlement between the parties, since the nature of offence is chiefly one of the matrimonial disputes along with the classical lines. The petitioner is already submitted to law. The Superintendent of Police is directed to withdraw the look out notice and the petitioner is directed to give an undertaking that he would not leave the country without obtaining necessary permission from the learned Magistrate. If at all the investigating agency requires to impound the pass port of the petitioner, it shall apply to the concerned pass port authority.

6. In view of the above, this Criminal Original Petition stands disposed of. Consequently, the connected miscellaneous petitions are closed.

sd/
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Boothapandi.
2. The Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Inspector of Police,
All Women Police Station,
Nagercoil, Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.C.HEROLD SINGH, Advocate (SR-55134[F] dated 19/03/2019)

tsg
AE/22.04.2019/2P/6C