

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 1661 of 2019

Date : 30.1.2019

Between:

Rohit Tirmanwar S/o T Rama Rao aged 26 years Occupation
Student in USA R/o H No 18505/4 Prakashnagar Begumpet
Hyderabad Through his GPA Holder Chennamaneni
Mahender Rao S/o Late Mukunda Rao Aged 51 years
Occupation Business R/o H No 18505/4 Prakash Nagar
Begumpet Hyderabad 16

Petitioner

And

STATE OF TELANGANA
Represented by its Principal Secretary Home Department
Telangana Secretariat Hyderabad & others

Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. In this writ petition, petitioner challenges continuation of lookout circular dated 10.4.2018 issued against him. Petitioner is accused No.3 in Crime No. 4309 of 2017 on the file of the XI Additional Chief Metropolitan Magistrate at Secunderabad and since he failed to appear before the Court, the Court issued NBW against petitioner. As petitioner's whereabouts were not known, to enforce NBW, lookout circular was issued on 10.4.2018. Later, petitioner appeared before the Court, applied for grant of bail and accordingly by order dated 19.6.2018 bail was granted with certain conditions. The conditions imposed on petitioner were that he should execute a personal bond for Rs.10,000/- with two sureties for like sum each and that he shall be regular in attending the Court on every adjournment and particularly on the dates as and when his presence is insisted by said Court.

3. In the written instructions furnished to the learned Government Pleader signed by Sub Inspector of Police, Begumpet Police Station, Hyderabad, the relevant facts are not disputed. Reading of the written instructions makes it clear that look out circular was issued on 10.4.2018 only to enforce NBW issued by XI Additional Chief Metropolitan Magistrate at Secunderabad and it appears there is no other crime pending against him. As a consequence to grant of bail, it is no more open to respondents to continue the lookout circular.

4. Learned Assistant Government Pleader sought to contend that as trial is likely to commence, presence of petitioner is very much necessary for early disposal of the criminal case and unless lookout

circular is continued, there is every possibility of petitioner not attending to the Court whenever he is called.

5. As noted above, the order of XI Additional Chief Metropolitan Magistrate at Secunderabad, while granting bail to the petitioner dated 19.6.2018 is very clear that petitioner is required to attend to the Court on every adjournment and particularly on the dates as and when his presence is insisted by said Court. If petitioner violates the said order, it is always open to the said Court to take appropriate course of action as required by law to enforce presence of petitioner, at the same time, continuation of lookout circular is not valid as purpose of lookout circular is to ensure compliance of NBW issued by XI Additional Chief Metropolitan Magistrate at Secunderabad and petitioner has already appeared before the Court. Accordingly, the writ petition is allowed. However, this order does not come in the way of issuance of any fresh lookout circular in compliance of orders, if any, issued by the competent Court or if required in any other crime. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 30-1-2019

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