

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.6076 OF 2019

DATED :04.04.2019

Between :

Yugandhar Ponamala S/o.Viswambhara Rao,
Age : 35 yrs, Software, R/o.H.No.30-328,
Agrigold Colony, Edulaguda, Miryalguda,
Nalgonda District, presently working at
R/o.7412, Allemande, Way Apartment 208,
CHATTANNOGA, Tennessee Stae 37421, USA.

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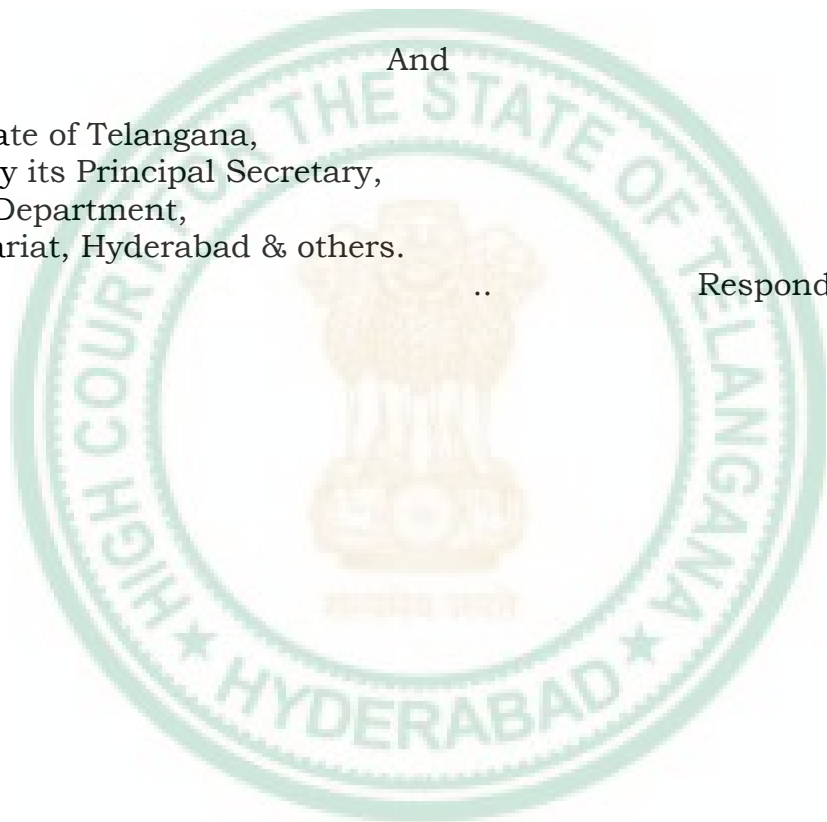
Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Home Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

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

2. Petitioner is shown as accused in Crime No.570 of 2018 registered in Alwal Police Station. Petitioner was residing in United States of America. In the process of conducting investigation, Look Out Circular (LOC) was issued against the petitioner. When petitioner landed in India, he was arrested and produced before the Jurisdictional Magistrate, his passport was seized and the same was produced before the jurisdictional Magistrate for taking custody of passport. While so, petitioner obtained anticipatory bail and is now very much available after obtaining bail. Petitioner claims to have filed petition in the Court of XXI Metropolitan Magistrate, Cyberabad at Medchal to grant interim custody of Passport and other consequential reliefs. It appears, the said petition is pending consideration of the trial Court. While so, this Writ Petition is filed, praying to declare the action of respondents in keeping pending the LOC, even after bail is granted to him and retaining the passport of petitioner.

3. As noted above, with reference to release of passport and to travel abroad a petition is already filed by the petitioner and the same is pending consideration of learned Magistrate. With reference to recalling of LOC also, petitioner ought to have filed appropriate application before the jurisdictional Magistrate. The

Judicial Magistrate is competent to assess the nature of investigation undertaken so far, the requirement of presence of petitioner and whether the police are justified in continuing the LOC even after the petitioner was arrested and later released on bail and whether any conditions are required to be imposed while granting relief to petitioner. Thus, this Court is not inclined to entertain the writ petition and to go into those aspects.

4. Having regard to the above, the Writ Petition is dismissed granting liberty to the petitioner to work out his remedies and to seek appropriate relief from the Jurisdictional Magistrate including release of passport as well as the relief of travelling abroad. Pending miscellaneous petitions, if any, shall stand closed.

4th April, 2019

P.NAVEEN RAO,J

Note :

Issue c.c. in five (5) days
B/o.
Rds