

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 7690 of 2019

ORDER:

1. This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of look out circular issued against the petitioner in C.C.No.990 of 2017 on the file of the VII Metropolitan Magistrate, Cyberabad at Hayathnagar, Ranga Reddy District, arising out of Crime No.59 of 2017 of Vanasthalipuram Police Station.

2. It has been submitted on behalf of the petitioner that the petitioner is arrayed as accused No.1 in Crime No.59 of 2017 of Vanasthalipuram Police Station, which was registered for the offences punishable under Sections 498-A and 506 of I.P.C. The police filed charge sheet which was taken cognizance as C.C.No.990 of 2017 against accused Nos.1 to 3. It is further submitted that at the time of granting anticipatory bail to the petitioner/ A1, the Court directed the Station House Officer, Vanasthalipuram, to inform the passport authorities with a request not to permit the petitioner to go abroad. Later, the petitioner/ A1 filed CrI.M.P.No.922 of 2017, under Section 6 (2) (f) of Indian Passport Act, to permit him to go to U.S.A. to join his service. By an order, dated 18.09.2017, the learned Sessions Judge, allowed the petition subject to the condition of petitioner depositing Rs.6,00,000/- before the lower Court. It is also submitted that immediately after registration of the crime a look out circular was issued against the petitioner and the same is being extended from time to time. It is further submitted that after registration of the crime, the petitioner came to India, participated in three counsellings/ mediations along with his mother and subsequently he obtained anticipatory bail and also

permission to leave the Country and presently residing in U.S.A. The petitioner was continuously appearing the Court and being represented through his G.P.A. holder in M.C.No.341 of 2017 and O.P.No.2185 of 2018. It is further submitted that whenever the petitioner came to India to attend the Court, he is detaining by the immigration authority stating that a lookout circular is pending against him.

3. Learned Additional Public Prosecutor submits that the G.P.A.holder of the petitioner is regularly appearing the Court in all the cases.

4. A perusal of the material on record would show that Look Out Circular was issued immediately after registration of the crime and subsequently, the petitioner obtained anticipatory bail. By an order dated 18.09.2017, the learned III Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar, permitted the petitioner to go to U.S.A. to join his service and directed him to deposit an amount of Rs.6,00,000/- before the lower Court and the petitioner has deposited the said amount by way of F.D.R. Moreover, the G.P.A. holder of the petitioner, who is none other than the mother of the petitioner, is regularly appearing before the Court. Having regard to the facts and circumstances of the case, Look Out Circular issued against the petitioner in C.C.No.990 of 2017 on the file of the VII Metropolitan Magistrate, Cyberabad, at Hayathnagar, Ranga Reddy District, is liable to be quashed.

5. In the result, the Criminal Petition is allowed and the Look Out Circular issued against the petitioner in C.C.No.990 of 2017 on the file of the VII Metropolitan Magistrate, Cyberabad at Hayathnagar, Ranga Reddy

District, arising out of Crime No.59 of 2017 of Vanasthalipuram Police Station, is hereby quashed.

6. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G. SRI DEVI

11.12.2019

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