



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **17.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD)No.8470 of 2021

G.Duraipandian

... Petitioner

Vs.

1.The Commissioner of Police,
Office of Commissioner of Police,
Trichy - 23.

2.The Inspector of Police,
Ariyamangalam Police Station,
Trichy
(Crime No.47 of 2020)

3.The Chief Immigration Officer,
The Chennai International Airport,
Chennai.

... Respondents

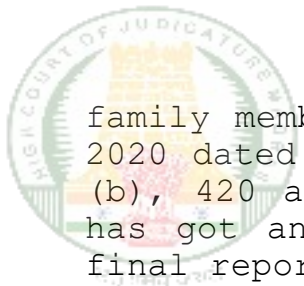
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to recall the Look Out Circular in LOC No.1/SIC/(ACK)/LOC/2020-2154 dated 22.02.2020 issued against the petitioner in connection with the case in Crime No.47 of 2020 on the file of the second respondent police and consequently direct the first respondent to intimate the same to the Immigration Officer i.e., third respondent.

For Petitioner	: Mr.B.Janarth Kumar
For R1 & R2	: Mr.K.Sanjai Gandhi Government Advocate
For R3	: Mr.S.Raga Venthre Central Government Standing Counsel

O R D E R

This petition is filed seeking direction to the first respondent to recall the Look Out Circular in LOC No.1/SIC/(ACK)/LOC/2020-2154 dated 22.02.2020 issued against the petitioner in connection with the case in Crime No.47 of 2020 on the file of the second respondent police and for consequential direction to the first respondent to intimate the same to the Immigration Officer i.e., third respondent.

2.The learned counsel for the petitioner submits that the petitioner was working in Gulf Country and at that time, there was a civil dispute between the petitioner and one Ananth, due to which, he has lodged a false complaint against the petitioner and his



family members. Based upon the complaint, a case in Crime No.47 of 2020 dated 12.02.2020 for the offences punishable under Sections 294 (b), 420 and 506(i) IPC was registered. Thereafter, the petitioner has got anticipatory bail. According to the petitioner till date, final report has not been filed.

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3.The learned counsel for the petitioner would further submit that when the petitioner decided to go abroad for his job, he came to know that Look Out Notice is pending against him. Through RTI, it came to light that Look Out Notice in Loc.No.1/SIC(Ack0/Loc/2020-2154 dated 22.02.2020 is pending against the petitioner. He would also submit that even though he has made several requests to the respondents 1 and 2 to recall the Look Out Circular, they have not done it. Hence, the petitioner is before this Court.

4.It is seen that the petitioner has filed an additional typed set of papers wherein the copies of the petitioner's passport, Visa, Agreement for working at Kingdom of Bahrain and his Aadhar Card are annexed.

5.This Court has heard the learned counsel appearing for the petitioner, the learned Government Advocate(Crl.side) appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent and perused the materials available on record.

6.On a perusal of FIR, it is seen that there is some money dispute between the parties. Further, the First Information Report has been filed in the year 2020. According to the petitioner, the object of the Look Out Circular is to ensure that a person is available for interrogation, trial or enquiry. It is averred in the petition that the petitioner has appeared before the second respondent for interrogation, complied with the conditions and he is facing the enquiry also. But, no charge sheet has been filed till date. It is his further submission that the petitioner's family has been facing financial crisis due to lock-down and therefore, he has decided to go abroad. Hence, he prays for a direction.

7.Keeping in view that right to travel is a fundamental right and concerned court may impose conditions as it deems it, this Court is inclined to issue following directions:

i)The petitioner shall approach the jurisdictional Magistrate namely, the Judicial Magistrate No.6, Trichy and file a petition seeking permission to travel abroad.

ii)On filing such petition, the Judicial Magistrate No.6, Trichy shall consider the same, after hearing all the parties concerned and pass orders on merits and in accordance with law, within a period of



iii)As soon as permission is granted by the Judicial Magistrate No.6, Trichy, Look Out Circular issued against the petitioner dated 20.02.2020 shall automatically deemed to have been cancelled as inoperative and ineffective.

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8.In fine, this petition stands disposed of.

Sd/-

Assistant Registrar (A.D I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate VI,
Trichy.
- 2.The Commissioner of Police,
Office of Commissioner of Police,
Trichy - 23.
- 3.The Inspector of Police,
Ariyamangalam Police Station,
Trichy.
- 4.The Chief Immigration Officer,
The Chennai International Airport,
Chennai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD)No.8470 of 2021

17.09.2021

KS (CO)

RS (06.10.2021) 3P 6C