



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2022

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

W.P.No.2740 of 2013

and

M.P.No.1 of 2013

Chandran Ratnaswami
Rep. by Power Agent
Ravichandran

.. Petitioner

Vs

1.The State of Tamil Nadu
Rep. by the Inspector of Police
District Crime Branch
Erode

2.The Superintendent of Police
Erode, Tamil Nadu

3.The Immigration Officer
Mumbai International Airport
Mumbai

4.The Deputy Superintendent of Police
District Crime Record Bureau
Tiruppur, Tamil Nadu

5.The Superintendent of Police
Tiruppur, Tamil Nadu

6.Ministry of Home Affairs
Bureau of Immigration
South Block, New Delhi-1

7.KC.Palanisamy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the 5th respondent and the 6th respondent including its constituent offices at all airports from acting upon the non-bailable arrest warrant dated 27.09.2012 issued against the petitioner individually and as representative of O.R.E Holdings



Limited and Odyssey America Reinsurance Corporation, in respect of C.C.No.162 of 2012 pending upon the file of the Judicial Magistrate No.III, Erode and the alleged Look Out Notice dated 09.01.2013 issued by the 5th respondent or from in any manner restraining/restricting the petitioner's entry into or exit out of India and consequently direct respondents 4 - 7 to jointly and severally pay the petitioner a sum of Rs.10 crores as compensation for his illegal detention on 22.01.2013.

For Petitioner : No appearance

For RR1, 2, 4 & 5 : Mr.R.Muniyapparaj
Additional Public Prosecutor

For RR3 & 6 : No appearance

For R7 : Mr.V.Raghavachari

O R D E R

This writ petition has been filed praying for issuance of a writ of mandamus forbearing the respondents 5 and 6, including its constituent offices at all airports from acting upon the non-bailable arrest warrant dated 27.09.2012 issued against the petitioner individually and as a representative of O.R.E Holdings Limited and Odyssey America Reinsurance Corporation, in C.C.No.162 of 2012 on the file of the Judicial Magistrate Court No.III, Erode and the alleged Look Out Notice dated 09.01.2013 issued by the 5th respondent or from in any manner restraining the petitioner's entry into or exit out of India and consequently direct the respondents 4 to 7 to jointly and severally pay the petitioner a sum of Rs.10 crores as compensation for his illegal detention on 22.01.2013.

2. There is no representation for the petitioner on the previous hearing and therefore, this matter was posted today under the caption "for dismissal". Today also, there is no representation for the petitioner.

3. However, Mr.R.Muniyapparaj, learned Additional Public Prosecutor filed a status report dated 29.01.2022 of Ms.K.Dhanalakshmi, Inspector of Police, DCB, Tiruppur District, wherein, in paragraphs 4 and 5, it is stated as follows :

"4. It is submitted that the case in C.C.No.162 of 2012 on the file of the learned Judicial Magistrate No.III, Erode, was quashed by this Hon'ble Court in



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Crl.O.P.No.2166, 3141, 2282, 2283 of 2013 dated 05.09.2014 based on the judgment of the Hon'ble Supreme Court in Civil Appeal No.4540 of 2013 arising out of SLP.(C).No.13120 of 2013. Meanwhile, a letter vide C.No.129/DCRB-TPR/2013 dated 10.05.2013 sent to the Joint Deputy Director /SIC, IB Headquarters, New Delhi regarding to delete the name of the petitioner from the Look Out Circular (LOC) and by letter vide No.2/SIC/2013(1)-1648, it was communicated that the name of the petitioner was deleted on 04.06.2013.

5. It is submitted that since the main criminal case in C.C.No.162 of 2012 itself was quashed, the Look Out Notice was deleted. Hence, this writ petition has become infructuous."

In the light of the fact that C.C.No.162 of 2012 on the file of the Judicial Magistrate Court No.III, Erode, has been quashed, the Look Out Circular issued in connection with the said C.C.No.162 of 2012, cannot survive.

In view of the above, this writ petition is dismissed having become infructuous. No costs. Connected Miscellaneous Petition stands closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
District Crime Branch
Erode

2.The Superintendent of Police
Erode, Tamil Nadu

3.The Immigration Officer
Mumbai International Airport
Mumbai



4.The Deputy Superintendent of Police
District Crime Record Bureau
Tiruppur, Tamil Nadu

5.The Superintendent of Police
Tiruppur, Tamil Nadu

6.Ministry of Home Affairs
Bureau of Immigration
South Block, New Delhi-1

7.The Public Prosecutor,
High Court, Madras.

Copy To

The Judicial Magistrate No.III,
Erode.

W.P.No.2740 of 2013

SRA(CO)
GN(15/02/2022)