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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2022

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. No.25118 of 2017
and
W.M.P.No. 26558 of 2017

Bellary Murali,
S/o. B.Krishna Rao
Director,
M/s. Best and Crompton Engineering
Projects, Chennai.

...Petitioner

Versus

1. The Bureau of Immigration,
Ministry of Home Affairs,
Government of India, rep. by its
Commissioner (Immigration),
East Block, VIII, Level V,
Sector 1, R.K.Puram,
New Delhi - 110 066.
2. The Central Bureau of Investigation,
Bank Securities and Frauds Cell,
rep. by its Deputy Inspector General
of Police and Head of Branch,
Bangalore, Karnataka.
3. The Foreign Regional Registration
Officer,
Bureau of Immigration,
Government of India,
Shastri Bhavan Annexe Building,
No.22, Haddows Road,
Chennai-600 006.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd respondent herein to furnish to the petitioner a copy of look-out circular issued against the petitioner at the earliest point of time.



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For Petitioner : Mr.J.Pothiraj
For Respondents : Mr.Venkataswamy Babu,
SPC for R1 & R3

Mr. K.Srinivasan,
Special Public Prosecutor for R2

O R D E R

This Writ Petition has been filed seeking a direction directing the 3rd respondent to furnish the copy of look-out circular issued against the petitioner.

2. The grievance of the petitioner is that, the petitioner has been implicated in three criminal cases registered by the 2nd respondent C.B.I. In some cases, investigation completed and final report has been filed. In one criminal case, further investigation is going on. In the meantime, the 3rd respondent has issued a look-out circular, subsequently, the circular has been periodically renewed. According to the petitioner, the present circular is valid upto June 2022, and since the look-out circular has been issued in violation of mandatory provisions, he wants to challenge the same. Hence, he has sought for look out circular issued against the petitioner. Accordingly, he approached the authorities to furnish the copy of look-out circular, but they have not furnished the copy of look-out circular issued by the 3rd respondent. In the said circumstances, the present Writ Petition has been filed.

3. Mr.K.Srinivasan, learned counsel appearing for 2nd respondent C.B.I. would submit that, the look-out circular has been issued only by the 3rd respondent and the 2nd respondent has not issued any such look-out circular.

4. Heard and considered the rival submissions made by learned counsel appearing for both sides and perused the records carefully.

5. Considering the fact that, the 3rd respondent has only issued the look-out circular, the petitioner is directed to approach the 3rd respondent and file the application seeking to furnish the copy of look-out circular issued against the petitioner within a period of two weeks from the date of receipt of copy of this order. On filing such application, the 3rd respondent is directed to furnish the copy of look-out circular to the petitioner within a period of two weeks thereafter.



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6. With the above direction, this Writ Petition stands closed. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Commissioner (Immigration),
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
East Block, VIII, Level V,
Sector 1, R.K.Puram,
New Delhi - 110 066.
2. The Deputy Inspector General
of Police and Head of Branch,
Central Bureau of Investigation,
Bank Securities and Frauds Cell,
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3. The Foreign Regional Registration
Officer,
Bureau of Immigration,
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+1 CC to Mr.J.Pothiraj, Advocate sr 18241.

W.P.No.25118 of 2017

SJ(CO)
SP(16/05/2022)