



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2022

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P (MD) No.2459 of 2021

WEB COPY

M.Mariyaselvam

.. Petitioner/sole accused

Vs

1.The Superintendent of Police,
Theni District,
Theni.

2.The Inspector of Police,
Theni Police Station,
Theni District.
(In Crime No.135 of 2019).

3.The Inspector of Police,
District Crime Branch,
Theni.
(In Crime No.5 of 2019).

4.The Chief Immigration Officer,
Chennai Airport,
Chennai.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to withdraw the Lookout Circular issued as against the petitioner in connection with the case in Crime No.5 of 2019 on the file of the third respondent police and consequently direct the first respondent to intimate the same to the Immigration Officers.

For Petitioner : Mr.J.Ravishankar

For RR 1 to 3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

For R - 4 : Mr.V.Malaiyendran

ORDER

This Criminal Original petition has been filed to direct the first respondent to withdraw the Lookout Circular issued as against the petitioner in connection with the case in Crime No.5 of 2019 on the file of the third respondent police and consequently direct the first respondent to intimate the same to the Immigration Officers.



2. The learned Government Advocate (Criminal Side) appearing for the respondents 1 to 3 would submit that after completion of the investigation in Crime No.5 of 2019 on the file of the third respondent, the same has been closed as mistake of act as early as on 23.12.2019. Further, the learned Government Advocate (Criminal Side) would submit that insofar as another crime registered against the petitioner is concerned, the concerned police already completed the investigation and filed a final report and the same has been taken cognizance in S.C.No.13 of 2020 on the file of the learned Chief Judicial Magistrate, Theni. Since the petitioner is not appearing before the trial Court, the second respondent made request to the concerned authority to include the passport of the petitioner in the Lookout Circular.

3. Per contra, the learned counsel appearing for the petitioner would submit that insofar as S.C.No.13 of 2020 is concerned, the petitioner filed a quash petition before this Court in Crl.O.P(MD) No.4823 of 2020 and the entire criminal proceedings is stayed by this Court and it is pending.

4. In view of the above, the Lookout Circular issued against the petitioner has become infructuous. Further, the third respondent is directed to intimate the same to the fourth respondent within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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 Superintendent of Police,
Theni District,
Theni.
- 2.The Inspector of Police,
Theni Police Station,
Theni District.
- 3.The Inspector of Police,
District Crime Branch,
Theni.
- 4.The Chief Immigration Officer,
Chennai Airport,
Chennai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P (MD) No.2459 of 2021
16.02.2022

RK(01/03/2022) 3P 6C