



Crl.O.P.(MD) No.5704 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.(MD) No.5704 of 2022

Rameshkumar

...Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai.

2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

3.The Chief Immigration Officer,
No.26, Sasthiri Bhavan Haddows Road,
Nungambakkam,
Chennai – 600 000.
(R3 impleaded as per order of this Court,
dated 15.06.2022 in Crl.MP(MD).No.6603/2022
in Crl.O.P(MD).No.5704 of 2022)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to withdraw the Look Out Circular issued as against the petitioner in connection with the Crime No.215 of 2020 on the file of the 2nd respondent police on the basis of his representation, dated 29.01.2022 within the time stipulated by this Court.



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For Petitioner : Mr.B. Jameel Arasu
For Respondents : Mr.R. Suresh Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed to quash the Look out Circular issued by the first respondent Police in connection with the case registered against the petitioner in Crime No.215 of 2020 on the file of the second respondent.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the husband of the de facto complainant. They married on 27.04.2018 and they have one female child viz., Sai Mirulani. After that, due to the difference of opinion, they are living separately. The petitioner sent a legal notice seeking divorce on 04.03.2020 to his wife and on receipt of the same, the de facto complainant / wife gave a complaint before the respondent police, which was registered for the offence under Sections 147, 148, 323, 324 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act. The petitioner was working at Kuwait and on 01.12.2021, when he came to India he was arrested and remanded to judicial custody, based on the Look Out Circular issued by the respondent police in connection with case in Crime



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No.215 of 2020. Thereafter, he came out on bail. Still, the Look Out Circular issued to the petitioner is in force. Hence, he seeks to quash the Look Out Circular issued against him.

3. The learned Government Advocate (Crl. Side) appearing for the respondents police submitted that the Look Out Circular issued to the police on 23.08.2021 in Rc.No.G1/210652/07/2021, dated 23.08.2021.

4. The learned counsel appearing for the third respondent submitted that so far he has not received any intimation from the respondent police for issuing the Look Out Circular against the petitioner.

5. On perusal of the records it reveals the fact that the petitioner's wife Sarojini gave a complaint against the petitioner on 17.03.2020 and a case has been registered in Crime No.215 of 2020 for the offences under Sections 147, 148, 323, 324 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act by the second respondent police. Since the petitioner was living at Kuwait, when he came to India on 01.12.2021, he was arrested and remanded to judicial custody in pursuance of the Look Out Circular issued by the respondent police, dated 23.08.2021. The Look Out Circular issued



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against the petitioner is only for the purpose of securing the accused in connection with the case in Crime No. 215 of 2020. Now, he was arrested and remanded to judicial custody and he came out on bail. Therefore, the object of Look Out Circular to make him available for interregnum during the trial is completed. Now, the petitioner is appearing before the trial Court and he has also given an undertaking that he will be available for trial.

6. Under these circumstances, the Look Out Circular issued by the respondent police, dated 23.08.2021 against the petitioner need not be continued and hence, the same is hereby quashed.

7. Accordingly, the Criminal Original Petition is allowed.

28.06.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
trp



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To

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- 2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
- 3.The Chief Immigration Officer,
No.26, Sasthiri Bhavan Haddows Road,
Nungambakkam,
Chennai – 600 000.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

trp

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