



Crl.O.P.(MD) No.13332 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.07.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13332 of 2022

M.Shahul Hameed

... Petitioner

Vs

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.

2. The Superintendent of Police,
Sivagangai District,
Sivagangai.

3. The Inspector of Police,
District Crime Branch,
Sivagangai.
(Crime No.16 of 2021)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents to take steps for issuing lookout circular to the accused in connection with Crime No.16 of 2021, on the file of the third respondent police and to restrain the accused flying away from the country.



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For Petitioner : Mr.Isaac Mohanlal
Senior Counsel for
M/s.V.Muthukamatchi

For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents to take steps for issuing lookout circular to the accused in connection with Crime No.16 of 2021, on the file of the third respondent police and to restrain the accused flying away from the country.

2. The learned counsel for the petitioner submitted that a case has been registered against the accused in Crime No.16 of 2021, but so far, the accused is not arrested. He further submitted that all the accused intentionally committed fraud against the innocent people by issuing false promise and deceitfully cheated the petitioner and nearly 600 innocent persons in Ilayankudi area amounting to more than Rs.10,77,55,000/- (Rupees Ten Corers Seventy Seven Lakhs and Fifty Five Thousand only). The anticipatory bail application was also dismissed by this Court as well as



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the Apex Court. The accused defrauded public money and they also attempted to fly away from the country. In these circumstances, the petitioner seeks for a direction to the first respondent for issuing lookout circular, to ensure the presence of the accused persons for facing trial.

3. The learned Government Advocate (Criminal Side) Appearing for the respondents submitted that the first accused has been arrested on 12.07.2022 and the remaining accused are yet to be arrested.

4. On perusal of the records, it is seen that a case has been registered in Crime No.16 of 2021, for the offences under Sections 406, 468, 471, 420 r/w 120(B) I.P.C against five accused viz., (1) Dineshkumar, (2) Roshni, (3) Kamaraj, (4) Kamaraj wife and (5) Satheeshkumar.

5. The learned counsel for the petitioner submitted that the remaining accused are making effort to go abroad to escape from the case. In order to bring them for facing trial, a lookout circular has to be issued for securing the accused.



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6. Considering the nature of the case and the fact that the amount involved in this case more than Rs.10,77,55,000/- (Rupees Ten Corers Seventy Seven Lakhs and Fifty Five Thousand only), in order to secure the accused and to make them face trial, a warrant has to be issued against the proposed accused in order to prevent them from flying abroad. Therefore, the second respondent/the Superintendent of Police, Sivagangai District, Sivagangai is directed to take necessary steps for securing the accused persons in Crime No.16 of 2021.

7. Accordingly, this Criminal Petition is allowed.

25.07.2022

Internet:Yes./No
Index:Yes/no
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To

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Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.
2. The Superintendent of Police,
Sivagangai District,
Sivagangai.
3. The Inspector of Police,
District Crime Branch,
Sivagangai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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