



WEB COPY



W.P.No.14046 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.14046 of 2023

and

WMP.No.13684 of 2023

Ram Kumar Yerukula

...Petitioner

Vs.

1. Immigration Officer,
Government of India,
Ministry of Home Affairs,
Bureau of Immigration,
New Delhi.

2. Priyanka Yadavi

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to the Look Out Circular made by the 1st Respondent in No.1/SIC(ACK)/LOC/Bureau of Immigration 2023-2608 dated 22.2.2023 and to quash the same.

For Petitioner : Ms.N.Prasanthi

For Respondents : Mr.M.Sathyan, for R1
: Mr.U.Jugal Kumar, for R2



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ORDER

The petitioner has come up with this Writ petition seeking quashment of the Look Out Circular issued by the 1st Respondent in No.1/SIC(ACK)/LOC/Bureau of Immigration 2023-2608 dated 22.2.2023.

2. The case of the petitioner is that, the petitioner married the 2nd respondent at Bhopal and lived with her hardly for two months during which time the marriage was not consummated. While so, the 2nd respondent, with an ill-motive to harass the petitioner and extract money from him, filed a petition under Domestic Violence Act before the District & Sessions Judge, Bhopal in C.C.No.1812/2022 and during the pendency of the said DV proceedings, the 2nd respondent also filed H.M.O.P.No.1114/2022 on the file of the Family Court, Bhopal, to declare the marriage between the 2nd respondent and the petitioner as null and void. Further, she had also filed a Maintenance case in M.C.No.858/2022 on the file of the Principal Family Court, Bhopal, claiming a huge amount as maintenance when there is no consummation of marriage. Apart from the above said cases, the 2nd respondent also lodged a false complaint against the petitioner and other

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accused person before the Nishatpura Police Station, Bhopal in Cr.No.18/2023 for the offences punishable under Sections 498A, 323, 294 & 34 of IPC and Section 3 & 4 of the Dowry Prohibition Act, in which, the petitioner was granted bail. Further, the petitioner also lodged a complaint against the 2nd respondent. While such being the case, the petitioner received the present impugned look out circular issued by the 1st respondent in Crime No.18/2023 on 22.02.2023. Challenging the same, the petitioner has come up with this Writ petition.

3. Learned counsel for the petitioner submitted that as against the issuance of LOC dated 22.02.2023 by the 1st respondent, the petitioner preferred a petition before the Criminal Court, which passed an order in favour of the petitioner. However, when the said order was produced before the Superintendent of Police, Bhopal, he refused to accept the same citing the pendency of the present Writ petition before this Court. Hence, she submitted that, it would suffice, if this Court closes this Writ petition with a direction to the petitioner to furnish the order copies in respect of the case in Crime No.18 of 2023 before the Superintendent of Police, Bhopal and upon perusal of the said orders and satisfying himself, the Superintendent of



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Police, Bhopal shall pass appropriate orders with regard to canceling the Look Out Circular.

4. Though very many grounds have been raised, learned counsel appearing for the 2nd respondent submitted that, opportunity may be given to the 2nd respondent by the Superintendent of Police, Bhopal before passing any orders.

5. On the above said contentions, heard learned counsel appearing for the 1st respondent and perused the materials placed on record.

6. In view of the aforesaid submissions, this Court without interfering with the impugned Look Out Circular dated 22.02.2023, directs the petitioner to produce the copies of the order passed by the Criminal Court as also this order before the Superintendent of Police, Bhopal within a period of two week from the date of receipt of a copy of this order. Upon receipt of the same, the Superintendent of Police, Bhopal is directed to pass appropriate orders on the Look Out Circular within a period of two weeks thereafter, after conducting enquiry in between the parties by affording an opportunity



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of hearing.

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7. With the aforesaid directions, this Writ Petition stands disposed of.

No costs. Consequently, connected Miscellaneous petition is closed.

8. Registry is directed to mark a copy of this order to the Superintendent of Police, Bhopal.

22.06.2023
(1/2)

skt

NCC : Yes / No
Speaking Order : Yes / No
Index : Yes / No

Note to Office: Issue order copy on 23.06.2023.

To

1. The Immigration Officer,
Government of India,

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Ministry of Home Affairs,
Bureau of Immigration,
New Delhi.

2. The Superintendent of Police,
Bhopal.

M.DHANDAPANI., J.

skt

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in

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Dispense with ordered for the
present.

22.06.2023

(2/2)

skt