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CrI.O.P.No.12906 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.12906 of 2023

A. Venkitachalam

...Petitioners

vs.

1.The Superintendent of Police,
Cuddalore District, Cuddalore

2.The Inspector of Police,
All Women Police Station,
Sethiyathope & Post,
Cuddalore District.
(Crime No.2 of 2018)

3.The Chief Immigration Officer,
No.26, Shastri Bhavan,
Haddows Road,
Chennai 600 008.

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to withdraw the Lookout Circular (LOC) in LOC No.3/DCRB/CUD/2023 dated 13.02.2023 issued against the petitioner in connection with Crime No.2 of 2018 on the file of the 2nd respondent.



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For Petitioners : Mr.S.Kamadevan
For Respondents : Mr.A.Gopinath,
Government Advocate, for R1 and R2

ORDER

This criminal original petition has been filed for a direction to the first respondent to withdraw the lookout circular in Crime No.2 of 2018 on the file of the 2nd respondent.

2. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

3. The learned Government Advocate brought to the notice of this Court that the case is now at the fag end of trial and already 11 witnesses have been examined on the side of the prosecution. It was further submitted that the case is posted for cross-examination of LW.12 to LW.14 on 09.08.2023.

4. The learned counsel for the petitioner submitted that the petitioner is a Mechanical Engineer, who was working at the Singapore from the year 2005 onwards. It was further submitted that the petitioner was detained at Tiruchirapalli Airport on 06.05.2023 on the ground that a Lookout circular is pending against him and hence, the petitioner was not able to go back to



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Singapore. The learned counsel also submitted that the case against the petitioner only pertains to matrimonial dispute and hence, he requested this Court to direct the first respondent to withdraw the Lookout circular.

5. In the considered view of this Court, the trial is now at the fag end stage and only two more witnesses will have to be examined on the side of the prosecution. Therefore, even if this Court directs the Lookout circular to be withdrawn, the petitioner has to be present before the Court below at the time of questioning under Section 313 of CrPC and also at the time of passing of final judgment. In view of the same, this Court is inclined to give a direction to the Judicial Magistrate No.I, Chidambaram to dispose of the case in CC.No.106 of 2018 within a period of six weeks from the date of receipt of copy of this order.

6. This criminal original petition is disposed of in the above terms.

02.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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To

- 1.The Superintendent of Police,
Cuddalore District, Cuddalore
- 2.The Inspector of Police,
All Women Police Station,
Sethiyathope & Post,
Cuddalore District.
(Crime No.2 of 2018)
- 3.The Public Prosecutor,
Madras High Court,
Chennai 600 104..



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N. ANAND VENKATESH, J.

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