



WP.No.25087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 21.09.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

W.P.No.25087 of 2023

in

W.M.P.Nos.24512 & 24515 of 2023

1.R.Ravichandran
2.R.Vani

.. Petitioners

Vs.

1.Bureau of Immigration,
Ministry of Home Affairs,
Represented by its Commissioner (Immigration),
East Block VIII, Level V,
Sector 1, R.K.Puram,
New Delhi-110 066.

2.The State,
Represented by Sub-Inspector of Police,
CBI/EOB, Chennai.

..Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, to direct the 2nd respondent to remove the Lookout Circular issued to the 1st respondent in respect of the petitioners and permit the petitioners to travel abroad.



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For Petitioners : Mr.Akhil Bhansali

For Respondents : Mr.K.Srinivasan
Special Public Prosecutor
for CBI cases

ORDER

This Writ Petition has been filed for seeking direction to the 2nd respondent to remove the Lookout Circular issued to the 1st respondent in respect of the petitioners herein and permit them to travel abroad.

2. According to the petitioners in the month of June when they were brought to leave the country to attend graduation ceremony of their daughter at Canada. They were prevented to board the flight due to the presence of a Lookout Circular issued by the 1st respondent which has not put to the notice of the petitioners earlier by the respondents stating that the criminal prosecution against them does not fall under exceptional categories where lookout circular can be issued seeking for restraining the order from enforcing the lookout Circular and also permission to travel abroad.



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3. The learned Special Public Prosecutor representing the first respondent submitted that they filed the detailed counter in which it is stated that the gravity of the offences for which these petitioners are prosecuted relates to bank fraud of Rs.20.92 Crores by fixation of partnership firm and if the petitioners are allowed to go abroad, there is every possibility to flee.

4. It is also submitted by the learned counsel for the respondents that the trial is set for framing of charges and petitioners are allowed to go abroad at this juncture, the commencement of trial are unnecessarily delayed.

5. In the light of the above objection raised by the learned Special Public Prosecutor, this Court directed the counsel for the petitioner to provide the travel itinerary of the petitioners for their proposed visit to Canada to meet their daughter. So that, this Court can temporarily permit the petitioner to visit Canada and return back to India to face trial.

6. When the matter called today for furnishing the details of travel



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plan, the learned counsel appearing for the petitioner submitted that the earlier tickets booked by the petitioners were cancelled and they yet to plan to execute their date of travel.

7. In the above submission, this Court disposed of this Writ Petition with liberty to the petitioners to revive the request after framing of charges. So that if necessary they will be permitted to go abroad without any impediment in the progress of the trial. No costs. Consequently, the connected miscellaneous petitions are closed.

21.09.2023

pal/vv

To

1.The Commissioner (Immigration),
Bureau of Immigration,
Ministry of Home Affairs,
East Block VIII, Level V,
Sector 1, R.K.Puram,
New Delhi-110 066.

2.The Sub-Inspector of Police,
CBI/EOB, Chennai.



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3. The Public Prosecutor,
High Court of Madras, Chennai.

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Dr.G.JAYACHANDRAN,J.

pal/vv

W.P.No.25087 of 2023

and

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