



W.P.(MD) No.17688 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.17688 of 2023

S.Ushananthini

... Petitioner

/vs./

1.The Inspector of Police,
AWPS Police Station,
Pattukottai District.

2.The Regional Passport Officer,
Thanjavur District.

3.Senthilkumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to issue a lookout circular by considering the petitioner representation dated 03.07.2023 and consequently directing the 2nd respondent not to allow the 3rd respondent to leave in India.

For Petitioner : Mr.K.Mahendran
For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)



W.P.(MD) No.17688 of 2023

WEB COPY

ORDER

This petition is filed seeking for a direction to the respondent No.1 police to issue lookout circular by considering the petitioner's representation dated 03.07.2023.

2.It is submitted by the learned counsel for the petitioner that basing on a complaint given by the petitioner, who is the wife of the respondent No.3, a case has been registered against the respondent No.3 in Crime No.6 of 2018 on the file of the respondent No.1 police for the offences punishable under Sections 498(A), 294(b) and 506(1) IPC, which was taken on file in C.C.No.292 of 2018 on the file of the Judicial Magistrate Court, Pattukottai and it is submitted further that since long time, as the respondent No.3 had been residing in Singapore, summons against him could not be served.

3.It is also submitted by the learned counsel for the petitioner that on a complaint given by a third person, the police have registered another case in Crime No.68 of 2021 for the offence under Section 420 IPC, basing on which the police have issued a lookout notice. When the respondent No.3 has returned to



W.P.(MD) No.17688 of 2023

India, he was apprehended and produced before the Court. Since then, he has been in India.

4.It is submitted further that the respondent No.3 has filed a petition in W.P. (MD) No.17337 of 2023 before this Court seeking to leave India for Singapore and the said petition stated to have been dismissed by this Court vide order dated 19.07.2023. Now, the petitioner has been requesting this Court for a direction to the respondent police to issue lookout notice in C.C.No.292 of 2018.

5.The learned Government Advocate (Crl.side) on the other hand submits that basing on the representation of the petitioner dated 03.07.2023, the police have summoned the respondent No.3, who appeared before the police and reported that he has received summons in C.C.No.292 of 2018 and has to appear before the concerned Magistrate Court on 14.08.2023.

6.When there are no warrants pending against the petitioner in C.C.No.292 of 2018 and that the respondent No.3 is available in India and is attending the Court and that his petition for permission to leave India has already been



W.P.(MD) No.17688 of 2023

dismissed by this Court, the lookout notice cannot be given. Since the summons have already been served and the petitioner has already given an undertaking to the respondent police to appear before the Court on 14.08.2023, the request of the petitioner to issue directions to the police to issue the proceeding for lookout notice against the petitioner cannot be considered.

7. Accordingly, this petition is dismissed. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

24.07.2023

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To

1. The Inspector of Police,
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WEB COPY



W.P.(MD) No.17688 of 2023

DR.D.NAGARJUN, J.

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W.P.(MD) No.17688 of 2023

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