

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.08.2023**

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THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

W.P.(MD) No.19096 of 2023
and
W.M.P.(MD)No.17184 of 2023

R.Sriram

... Petitioner

/vs./

1.The Chief Immigration Officer,
Bureau of Immigration,
Chennai International Airport, Chennai.

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

3.The Inspector of Police,
All Women Police Station,
Thanjavur, Thanjavur District.
(Cr.No.7 of 2023)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to cancel or withdraw the Look Out Circular issued against the petitioner in Cr.No.7/2023 on the file of the 3rd respondent by considering the representation of the petitioner dated 05.07.2023 within the time limit stipulated by this Court.

For Petitioner : Mr. A.Mohamed Hashim
For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate (criminal side)
For Impleading Petitioner:Mr.R.Venkateshwar
For Intervenor : Mr.H.Mohammed Imran

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking Mandamus to the respondent Nos.2 and 3 to withdraw the lookout circular issued against the petitioner in Cr.No.7 of 2023 on the file of the respondent No.3.

2.It is submitted by the learned counsel appearing for the petitioner that basing on a complaint given by his wife, a case has been registered in Crime No.7 of 2023 for the offence punishable under Sections 498(A), 294(b), 406 and 506(1) IPC. In the said case, he was arrested and produced before the learned Magistrate and released on personal bond. It is submitted further that the petitioner is a Software Engineer and when he was about to go to Denmark on his official assignment, he was detained and was not permitted to board the flight on the ground that lookout notice is pending. It is submitted that except the case filed by his wife where he has been appearing, no other case is pending against the

petitioner and thereby, he sought for suitable directions to recall the lookout notice.

3.Mr.H.Mohamed Imran, learned counsel intervened on behalf of wife of the petitioner and submitted that the charge sheet has been filed and the charges have to be framed.

4.The learned Government Advocate (Crl.side) submits that if the petitioner appears before the respondent police, his request will be considered, for which the learned counsel for the petitioner is accepted.

5.Considering the submissions made by the learned counsel on either side and on perusal of the records, the petitioner is directed to appear before the police immediately, on which the respondent police are directed to conduct an enquiry and after completing the enquiry, if the presence of the petitioner is not required, let the lookout circular be withdrawn within a period of two weeks from the date of completion of enquiry.

6.With the above directions, this Petition is disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

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

24.08.2023

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DR.D.NAGARJUN, J.

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