



W.P.(MD)No.25416 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

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THE HON'BLE MR.JUSTICE G.ILANGO VAN

W.P.(MD)No.25416 of 2023

and

W.M.P(MD) No.21588 of 2023

Chitra Prasanna.A

... Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Deputy Director (Immigration),
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
East Block - 8,
Level-4, Sector - 1,
R.K.Puram,
New Delhi - 110.
3. The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.21 of 2021).

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 3rd respondent Police to withdraw the look out circular issued against the petitioner and from preventing him for travelling abroad and detaining and arresting him in any immigration (entry or exit) point in India and interfering with his freedom of movement within or without India.

For Petitioner : Mr.M.Benazir Begum

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the 1st and 3rd respondent Police to withdraw the look out circular issued against the petitioner and from preventing him for travelling abroad and detaining and arresting him in any immigration (entry or exit) point in India and interfering with his freedom of movement within or without India.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. It is the matrimonial issue between the husband and wife, over which, a case has been registered in Crime No.21 of 2021 on the file of All Women Police Station, Paramakudi, Ramanathapuram District, Final Report has been filed and it was taken cognizance in C.C.No.347 of 2023 by the learned Judicial Magistrate, Paramakudi.

4. Now the grievance of the petitioner is that for the purpose of funeral ceremony of his mother, he came down to India and Visa is also expired on 10.10.2023. He has to go back to Finland to continue his job. During pendency of the above said trial process, the above said look out circular has been passed against him. Because of the above said circular, he could not travel abroad. CrI.O.P(MD) No.17275 of 2023 was moved by the petitioner, seeking anticipatory bail and that was referred to the Mediation Centre, but there was no settlement between the parties. Subsequently, the above said anticipatory bail was granted on 13.10.2023.

5. Since the trial is pending before the concerned Court, let the petitioner move an application before the concerned Court seeking



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permission to go abroad. The same may be considered by the concerned trial Court on its own merits within a period of one week from the date of filing of the petition. On the permission being granted, the Look out circular will stand automatically cancelled.

6. This Writ Petition is disposed of with the above said liberty. No costs.

19.10.2023

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

Indu

Note: Issue order copy on 19.10.2023

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar..
2. The Sub-Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J.

Indu

Order made in
W.P.(MD)No.25416 of 2023

Dated: 19.10.2023