



W.P.(MD) No.25936 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.(MD)No.25936 of 2023

Muthuraman,
Son of Karuppasamy,
K(M-43/2023),
HG 03, Vikram Apartments,
Visthara Enclave,
Vilangudi,
Madurai – 625 018.

... Petitioner

Vs.

- 1.The State represented by,
The Superintendent of Police,
Office of Superintendent of Police,
PSP Nagar, Korampallam,
Thoothukudi District – 628 101.
- 2.The Inspector of Police,
Cyber Crime Police Station,
Cruz Puram,
Thoothukudi District.
- 3.The Regional Passport Officer,
Officer of Regional Passport Office,
Bharathi Ula Road,
Near Thaamarai Thotti Bus Stop,
KK Nagar, Ramaond Reserve Line,
Madurai District – 625 002.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to withdraw the Look Out Circular issued against the petitioner by considering his representation dated 09.08.2023.

For Petitioner	: Mr.M.Guruprasad for M/s.VPN Associates
For RR 1 &	: Mr.A.Thiruvadi Kumar Additional Public Prosecutor

ORDER

The present Writ Petition under Article 226 of the Constitution of India has been filed on 25.10.2023 by the petitioner seeking an order of direction directing the respondents to withdraw the Look Out Circular issued against the petitioner by considering his representation dated 09.08.2023.

2.The petitioner has filed an affidavit in support of the Writ Petition wherein he has stated that the second respondent registered a case against the petitioner in Crime No.18 of 2023 for the offences under Sections 153, 504 and 505(2) of 'The Indian Penal Code (45 of 1860)' (hereinafter 'IPC' for the sake of brevity);



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that at the time of registration of the case, the petitioner was in Dubai; that second respondent after conducting an enquiry with the petitioner's wife and confirming the information about the petitioner's current location, issued a Look Out Circular against the petitioner; that the petitioner returned to India on 17.07.2023; that the petitioner was arrested and remanded to judicial custody on the same day (17.07.2023) in the said crime; that the petitioner filed a bail application in CrI.M.P.No.12635 of 2023 before the learned Judicial Magistrate No.4, Thoothukudi and the learned Judicial Magistrate No.4, Thoothukudi, granted bail to the petitioner, by order dated 24.07.2023 with conditions; that the bail conditions were relaxed vide order dated 04.08.2023 in Cr.M.P.No.13552 of 2023.

3.The learned counsel appearing for the petitioner submitted that the petitioner was arrested, thereafter bail was granted to the petitioner in the said crime. Even after granting bail to the petitioner, the Look Out Notice issued against the petitioner has not been withdrawn and the same is still in force. Hence, the petitioner sent a representation dated 09.08.2023 requesting the concerned authorities to revoke the Look Out Circular issued against him. After receiving the said representation, the respondents did not



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take any steps to withdraw the Look Out Notice. Hence, the petitioner filed this Writ Petition with a prayer of Mandamus.

4. When the matter was taken up today (26.10.2023), Mr. A. Thiruvadikumar, learned Additional Public Prosecutor, accepted notice for the respondents 1 and 2 and submitted that the first respondent sent a communication dated 08.08.2023 bearing reference No. C.No. D2/P31/DCRB/TUT/2023 to 'The Assistant Director/SIC, Bureau of Immigration, Ministry of Home Affairs, Government of India, Level - V, Sector - 1, RK Puram, New Delhi - 110 066' requesting to delete the Look Out Circular. The learned Additional Public Prosecutor placed a copy of the said communication dated 08.08.2023 before this Court and a scanned reproduction of the same is as follows:



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WEB COPY

Police Department

From

Dr. L. Balaji Saravanan,
The Superintendent of Police,
Thoothukudi District,
Thoothukudi

To

The Assistant Director/SIC,
Bureau of Immigration,
Ministry of Home Affairs,
Govt. of India, East Block -VIII,
Level - V, Sector - 1, RK Puram,
New Delhi - 110066.

C.No. D2/P31/DCRB/TUT/2023 Dated: 20.08.2023

Sub: Police - Thoothukudi District - Deletion of LOC against Tr. K. Muthuraman, S/o. Karuppasamy, D.No. HG03, Vikram apartment, Visthara Kudiyiruppur, Vilangudi, Madurai District - Requested - Regarding.

Ref: 1. No. F.10/FRRO/C1-LOC Raw/2013, of the Foreigners Regional Registration Officer, Bureau of Immigration, Chennai.

2. This office letter in C.No. D2 /P31/ DCRB / TUT / 2023 Dated: 11.04.2023

I invite kind attention to the reference cited.

2. In the reference 2nd cited, it has been requested to issue necessary LOC against Tr. K. Muthuraman, S/o. Karuppasamy, D.No. HG03, Vikram apartment, Visthara Kudiyiruppur, Vilangudi, Madurai District. Accordingly the LOC was issued in LOC No. 2023411372 against him.

3) It is informed that the above said Tr. K. Muthuraman, S/o. Karuppasamy has surrendered his passport to JM IV Court, Thoothukudi District and he is in bail as per the orders of JM IV, Thoothukudi District from 26.07.2023.

4) Hence it is recommended that the LOC issued against the said Tr. K. Muthuraman may be deleted. The details are furnished below in the prescribed format.

LOC RECOMMENDED FOR DELETION (ANNEXURE - B)

S. No.	LOC. No.	Name	Parentage	DOB	Passport No.	Reason
1.	2023411372	Tr. K. Muthuraman	Tr. Karuppasamy	24/05/1979	L8933941	Accused arrested on 17.07.2023. He surrendered his passport before JM IV Court, Thoothukudi District.


Superintendent of Police,
Thoothukudi District.

Copy to:

1. The Inspector Police, Cyber Crime Police Station, Thoothukudi District.



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5. Based on the aforesaid communication, 'The Assistant Director/SIC, Bureau of Immigration, Ministry of Home Affairs' has deleted the Look Out Circular at his end.

6. The above stated position is recorded. In view of the above stated position, the Writ Petition is disposed of as closed.
No costs.

26.10.2023

Neutral Citation : Yes / No
Index : Yes / No
Internet : Yes
ps



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WEB COPY

To

- 1.The Superintendent of Police,
Office of Superintendent of Police,
PSP Nagar, Korampallam,
Thoothukudi District – 628 101.
- 2.The Inspector of Police,
Cyber Crime Police Station,
Cruz Puram,
Thoothukudi District.
- 3.The Regional Passport Officer,
Officer of Regional Passport Office,
Bharathi Ula Road,
Near Thaamarai Thotti Bus Stop,
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R.SAKTHIVEL, J.

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26.10.2023