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Criminal Original Petition No.2973 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.2973 of 2024

Vinod Paulson
Son of Stanley Williams

...Petitioner

Vs

1.State represented by
Superintendent of Police (CB CID)
Officer of the DBCID
Pantheon Road, Egmore
Chennai.

2.The Inspector of Police
CBCID, CBCID Police Station
Puthur
Nagapattinam District

3.The Commissioner
Bureau of Immigration
East Block – VIII
Level V, Sector 1
R.K.Puram,
New Delhi 110066.

4.Bureau of Immigration
Shastri Bhavan Annexe
Haddow Road



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Chennai 600 006

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Respondents to withdraw the look out notice against the Petitioner herein and to permit him to travel out of India on business purposes.

For Petitioner : Mr.A.Manjula

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed for a direction to the respondents to withdraw to look out circular (LOC) issued against the petitioner and permit the petitioner to travel out of India.

2. The petitioner has filed the present Criminal Original petition based on the order passed by the learned Chief Judicial Magistrate, Nagapattinam in CrI MP No.5953 of 2023 in CC No.37 of 2019 dated 19.12.2023. The order passed by the learned Chief Judicial Magistrate, Nagapattinam is extracted hereunder :-



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This petition is filed to cancel look out notice.

Finally, reply received. Argument heard. On perusal of case bundle the accused A4 present before this court on every hearing. No need to have look out notice for the A4 for appearance. He is not a wanted accused. Hence, the earlier look out notice to be withdrawn by the police. The accused shaii be foliow the condition below.

i) The accused shall not abscond.

(ii) Accused directed to appear before this court on each and every hearing.

(iii) Accused shall co-operate speedy trial with out any deviation.

(iv) Accused is directed to show the passport when ever the court needs.

(v) Accused is directed to follow the conditions without fail.

3. The learned Additional Public Prosecutor on instructions submitted that the respondent police was aggrieved by the order passed by the learned Chief Judicial Magistrate, Nagapattinam and hence, a Criminal Revision has been filed before the Principal District Judge, Nagapattinam on 05.02.2024.

4. In the light of the above development, the relief as sought for by the petitioner cannot be granted by this Court. However, there shall be a direction to the Principal District Judge, Nagapattinam, to



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immediately act upon the Criminal Revision filed by the respondent and after giving an opportunity to the petitioner, final orders shall be passed within a period of four weeks thereafter.

5. This Criminal Original Petition is disposed of in the above terms.

19.02.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No

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To

1. The Principal District Judge, Nagapattinam

2. The Chief Judicial Magistrate, Nagapattinam

3.State represented by
Superintendent of Police (CB CID)
Officer of the DBCID
Pantheon Road, Egmore
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6.Bureau of Immigration
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7.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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