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CrI.O.P.No.3614 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3614 of 2024

R S Ramani @ Rama Subramani Ramani

... Petitioner

Vs.

1. The Assistant Director,
Enforcement Directorate,
Chennai Zonal Office - I,
No.2,5th & 6th floor BSNL Administrative building,
Kushkumar Road,
Nungambakkam,
Chennai - 600 034.

2. Union of India,
Through Bureau of Immigration,
East Block-VIII, Level-V, Sector-1,
Rama Krishna Puram,
New Delhi 110 001.

... Respondents

PRAYER : The Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 1st respondent to revoke the Look Out Circular issued against the Petitioner and inform the same to the 2nd respondent herein.



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For Petitioner : Mr.G.Guruprasath
For Respondent No.1 : Mr.P.Siddharthan
Special Public Prosecutor

ORDER

This Criminal Original Petition has been filed for a direction to the 1st respondent to revoke the look out circular issued against the petitioner and to inform the same to the 2nd respondent in order to enable the petitioner to freely move from and into India.

2. Heard Mr.G.Guruprasath, learned counsel for the petitioner and Mr.P.Siddharthan, learned Special Public Prosecutor for respondents.

3. One other accused person against whom there was a look out circular had approached this Court and filed CrI OP No.1234 of 2024. This Court passed an order dated 31.01.2024 and the relevant portions are extracted hereunder :-

3. The first respondent has filed a reply. The first



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respondent has explained the entire facts of the case. The Enforcement Directorate got into the scene by virtue of the pendency of the predicate offence in Crime Nos.39 of 2019 and 282 of 2019. The Enforcement Directorate recorded a ECIR based on Crime No.39 of 2019. Ultimately, the First Information Reports were quashed in Crl.O.P.No.30980 of 2019 etc. batch by order dated 10.05.2023. Subsequently, the ECIR was also quashed by this Court in W.P.No.10901 of 2023 etc. batch by order dated 12.12.2023. In the light of this order, no proceedings are pending against the petitioner. The first respondent has filed a reply to the effect that a special leave petition has been filed before the Apex Court.

4. Taking into consideration the reply that has been filed by the first respondent and the subsequent developments that have taken place in this case, the Look Out Circular issued against the petitioner has to be revoked. The Look Out Circular will survive only till the criminal proceedings are alive. As and when the criminal



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proceedings have come to an end, the Look Out Circular must also come to an end.

5. In the light of the above discussion, there shall be a direction to the first respondent to revoke the Look Out Circular issued against the petitioner forthwith and the same shall be informed to the second respondent.

4. When the above order was passed, it was brought to the notice of this Court that the Enforcement Director had filed a SLP before the Apex Court and the same was pending. Today, when the matter was taken up for hearing, it is brought to the notice of this Court that the SLP also came to be dismissed by an order dated 02.02.2024. The same is available at Page No.140 and 141 of the typed set of papers. The Apex Court has made it clear that if in case any predicate offence is registered by the police or cognizance is taken by a Court, it is left open to the Enforcement Directorate to proceed further in accordance with law.

5. In the light of the above development, there is no reason as to why the look out circular must be kept pending against the petitioner.



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Therefore, there shall be a direction to the 1st respondent to revoke the circular forthwith and the same shall be informed to the 2nd respondent.

6. This Criminal Original Petition is disposed of with the above directions.

Index : Yes/No
Internet : Yes/No
rka

19.02.2024

To

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3. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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