



WEB COPY



CrI.O.P.No.9319 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.9319 of 2024

Pratheep Joe Silluvai

... Petitioner

Vs.

1.The State Rep.by
The Deputy Commissioner of Polce,
O/o.Deputy Commissioner of Police, Washermenpet,
Plot 10, Sivan Nagar, Police colony,
Tondiarpet,
Chennai-600 081.

2.The State Rep.by
The Inspector of Police,
W-13, All Women Police Station,
Washermenpet,
Chennai.

3.The Chief Emigration Officer,
No.26, Sastri Bhavan Annex,
Haddows Road,
Chennai-600 034.
Respondents

...

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the 1st and 2nd respondent police to rescind the look out circular dated 04.03.2024 issued by the 1st respondent against the petitioner in Crime No.9 of 2023 on the file of the 2nd respondent for the alleged offence under Section 498A of IPC.



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For Petitioner : Ms.B.C.Vijayalaksmi
For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition herein filed to withdraw the Lookout Circular dated 04.03.2024 issued by the 1st respondent against the petitioner herein who is facing enquiry in Crime No.9 of 2023 for an offence under Section 498A IPC.

2. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioner was granted anticipatory bail by this Court on condition that he shall report before the Investigating Officer daily for 15 days and thereafter, as and when required. The petitioner is gainfully employed in USA and the complaint given by his wife alleging cruelty and harassment. In the light of the fact, the investigation is pending, the request for LOC issued on 04.03.2024. The petitioner is supposed to appear before the Investigating Officer for 15 days daily, but he has started complying the bail condition only on 08.04.2024. Investigation is at very crucial stage and if the LOC is withdrawn, the petitioner will not be available for investigation and derail the process.



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3. This Court on considering the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side), is of the view that the petitioner who is gainfully employed in USA, can be permitted to go abroad only after completion of the investigation. The respondent police shall complete the investigation not later by 45 days and file final report. Once the final report will be filed, the 1st respondent police shall inform the Emigration Authority about the completion of investigation and to withdraw the LOC. The petitioner shall be permitted to go abroad on furnishing all his details about the stay and employment in USA and on condition to attend the trial on receipt of the summons.

4. With this observation, this Criminal Original Petition is disposed of. If there is any violation, necessary action may be taken to secure the petitioner, make him to participate in the trial.

16.04.2024

Index : Yes/No

Neutral Citation : Yes/No

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Dr.G.JAYACHANDRAN,J.

rpl

To

1.The Deputy Commissioner of Polce,
O/o.Deputy Commissioner of Police, Washermenpet,
Plot 10, Sivan Nagar, Police colony,
Tondiarpet,
Chennai-600 081.

2.The Inspector of Police,
W-13, All Women Police Station,
Washermenpet,
Chennai.

3.The Chief Emigration Officer,
No.26, Sastri Bhavan Annex,
Haddows Road,
Chennai-600 034.

4.The Public Prosecutor,
High Court of Madras,
Chennai.

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