



W.P.No.15843 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:31.07.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

W.P.No.15843 of 2024
and
W.M.P.No.17270 of 2024

Ramasaravanan

.. Petitioner

/versus/

1.The Commissioner of Police,
Greater Chennai Police,
EVK Sampath Road, Vepery,
Chennai 600 007.

2.The Additional Commissioner of Police,
Central Crime Branch,
Greater Chennai Polie,
EVK Sampath Road,
Vepery, Chennai 600 007.

3.The Deputy Commissioner of Police,
Team II, EDF I, CCB I,
Greater Chennai Police,
EVK Sampath Road,
Vepery, Chennai 600 007.

4.The Assistant Commissioner of Police,
Team-II, EDF-I, Central Crime Branch-I,
Vepery, Chennai-07.



W.P.No.15843 of 2024

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5.The Assistant Director/SIC,
R.K.Puram Sector-I, BOI Hqrs.
East Block VIII, New Delhi 110 006.

6.Mahalingam V.S.

.. Respondents

Writ Petition has been filed under Article 226 of the Indian Constitution to issue a Writ of Certiorari, to call for the records pertaining to impugned order passed by the 2nd respondent vide letter Rc.No.23/ACOP-CCB/LOC/2024 dated 15.03.2024 against the petitioner and to quash the same.

For Petitioner	:Mr.V.Krishnamoorthy for Mr.V.Deepan Raj Krishna
For R1 to R5	:Mr.K.M.D.Muhilan, Govt.Advocate (Crl.Side)
For R6	:Mr.N.Zahid Ahmed

ORDER

The petitioner herein is a suspect in Crime No.49 of 2024 registered on the complaint given by one V.S.Mahalingam, alleging that the petitioner has cheated him to the tune of Rs.3,14,00,000/-.



W.P.No.15843 of 2024

WEB COPY

2. The content of the complaint indicates that the business transaction between the petitioner and the complainant has prompted the complainant to part away a sum of Rs.1,98,75,000/- and therefore, the petitioner is liable to pay Rs.3,14,00,000/- with interest. The petitioner deceived the complainant by offering RC books of his vehicles and thereafter, under the pretext of conducting FC of the vehicle, he taken back and sold it. In this connection, after registration of the First Information Report on 08.03.2024, Look Out Circular was issued against the petitioner. The petitioner has gone Abroad on 07.03.2024 and returned to India on 19.03.2024 and at the Airport he was arrested.

3. The learned counsel appearing for the petitioner submitted that on his business board he went to Abroad. After he left India, First Information Report was registered and when he came back to India, he was arrested pursuant to the Look Out Circular. He contended that issuance of LOC is with a malafide intention to detain the petitioner herein and he had not committed any offence as alleged in the complaint.



W.P.No.15843 of 2024

WEB COPY

4. This Court finds that perusal of the documents indicates that the petitioner herein on receipt of the notice under Section 41-A Cr.P.C appeared before the Investigating Officer on 19.03.2024 and again on 06.05.2024 and 10.05.2024.

5. The learned counsel appearing for the petitioner states that he is ready and willing to co-operate with the investigation as and when called for enquiry.

6. In such circumstances, this Court is of the view that there is no need for a Look Out Circular against the petitioner. If the petitioner wants to leave the country, he should inform the Investigating Officer about the travel, place, contact and proposed date of return to India. With these informations, he can leave the country and come back to India. In any event, if the Investigating Officer is satisfied with the informations, he may permit him to go Abroad.



W.P.No.15843 of 2024

WEB COPY

7. In view of the above, the Look Out Circular is hereby quashed. Accordingly, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

31.07.2024

Index:yes/no

Neutral Citation:yes/no

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2.The Additional Commissioner of Police,Central Crime Branch,
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4.The Assistant Commissioner of Police,Team-II, EDF-I, Central Crime
Branch-I,Vepery, Chennai-07.

5.The Assistant Director/SIC,R.K.Puram Sector-I, BOI Hqrs.
East Block VIII, New Delhi 110 006.

6.The Public Prosecutor, High Court,Madras.



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DR.G.JAYACHANDRAN,J.

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