



WEB COPY



W.P.No.22148 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2024

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

W.P.No.22148 of 2024

S.Mageswari

... Petitioner

Vs.

1.The Commissioner of Police,
O/o.the Commissioner of Police,
Veppery, Chennai-600 007.

2.The Deputy Commissioner of Police,
O/o.The Deputy Commissioner of Police,
Mylapore, Chennai-600 004.

3.The Inspector of Police,
W-22, All Women Police Station,
Mylapore, Chennai-600 004.

4.The Assistant Director/SIC,
Bureau of Immigration,
East Block-VIII, Level-5,
R.K.Puram, Section-I,
New Delhi-110 066.

... Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondents to recall and revoke the Look Out Circular issued against my son Mr.S.Ramkumar in connection with Crime No.12 of 2023 so that he will be able to clear all the process in respect of Passport No.F0317511 on the basis of my representation dated 15.07.2024.

For Petitioner : Mr.R.Arunkumar



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For R1 to R3 : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed by the mother on behalf of her son against whom the Look Out Circular been issued by the police, since he is absconding and not cooperating with the investigation on the complaint registered on 21.09.2023 for the offence under Sections 498(A), 420 & 120B IPC.

2. The learned counsel appearing for the petitioner states that the son of the petitioner, who is the husband of the defacto complainant, is presently residing in UK and though he is ready to cooperate with the investigation, in view of the Look Out Circular he apprehends arrest and therefore, Look Out Circular pending against the son of the petitioner has to be revoked and recalled.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police states that in spite of several intimations, the petitioner's son as well as the petitioner has not cooperated with the



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investigation. Hence the Look Out Circular issued.

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4. This Court is of the view that unless and until the accused come down to India and cooperate with the investigation, the Look Out Circular cannot be withdrawn. In case if the son of the petitioner is inclined to come down to India and cooperate with the investigation, he can inform the same to the Investigating Officer about his willingness to come down to India for participating in the investigation. If so he cooperates, the respondent police shall consider recalling the Look Out Circular.

5. With this observation, this Writ Petition is disposed of. No costs.

02.08.2024

rpl

Index: Yes/No

Speaking Order/Non Speaking Order

Neutral Citation : Yes/No

To

1.The Commissioner of Police,

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O/o.the Commissioner of Police,
Veppery, Chennai-600 007.

2.The Deputy Commissioner of Police,
O/o.The Deputy Commissioner of Police,
Mylapore, Chennai-600 004.

3.The Inspector of Police,
W-22, All Women Police Station,
Mylapore, Chennai-600 004.

4.The Assistant Director/SIC,
Bureau of Immigration,
East Block-VIII, Level-5,
R.K.Puram, Section-I,
New Delhi-110 066.

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



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Dr.G.JAYACHANDRAN, J.

rpl

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