



CrL.OP.No.21708 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.21708 of 2024

Janaki Srinivasan

... Petitioner

Vs.

1. The Superintendent of Police,
(Originating Agency)
North Zone, Crime Branch CID,
Old Commissionerate Campus,
Pantheon Road, Egmore,
Chennai 600 008.
2. The Assistant Director,
Bureau of Immigration Level-V,
East Block-VIII Sector -1,
R.K.Puram, New Delhi.
3. Foreigners Regional Registration Officer (FRRO)
Shastri Bhavan Building Annexure,
No.26, Haddows Road,
Nungambakkam,
Chennai 600 006.
4. The Immigration Officer,
Bureau of Immigration,
Anna International Airport,
Meenambakkam, Chennai.



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5. Inspector of Police,
CBCID, OCU-II,
Chennai.
(Crime No.4 of 2021)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure (Section 528 of BNSS 2023), praying to direct the first respondent to withdraw the Look Out Circular issued vide LOC suspect-2242544 vide 1/SIC(ACK)LOC/2022-3006 dated 12.03.2022 and that look out circular is activated as per No.4/CFB R2022(14-III 2565) dated 21.03.2022 vide passport No.R4775169-Janaki Srinivasan, W/o.Srinivasan as against this petitioner/accused as stated above so as to enable her to attend the court without any fear and without any hindrance in the interest of justice.

For Petitioner : MR.Vijayakumar

For Respondents : Mr.K.M.D.Muhilan
Govt. Advocate (Crl. Side),

ORDER

The petitioner herein is suspected accused in Crime No.4 of 2021 which has been taken cognizance by the Special Court for POSCO offence, Chengalpet in Special SC No.8 of 2024.



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2. The petitioner being Abroad, a lookout circular has been issued against her and the same is in force. The petitioner is ready to come down to India and participate in the trial. However, in view of the lookout circular in force, she apprehends arrest and detention to prevent her from effectively participating in the trial by engaging counsel of her choice.

3. The I.O. has filed a counter stating that on a complaint given by a minor child case was registered on 13.12.2021 by CBCID in Crime No.4 of 2021 for offence under Sections 376, 366A, 506(i) of IPC and Section 5(f) read with 6 of POCSO Act, and also Sections 9(1) read with 10 and 6 read with 17 of POCSO Act. This petitioner is arrayed as A3 for abating A1. A final report filed against five accused which is taken on file in Special SC No.8 of 2024 on 31.01.2024 due to nonappearance of this petitioner is arrayed as A3, the trial is delayed.

4. The learned counsel appearing for the petitioner submits that she has received summons from the Trial Court and she is eager to participate in the trial but for the lookout circular pending against her.



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5. In view of the submissions made by the learned counsel for the petitioner and the counter of the Inspector of Police, Organise Crime Unit II, CBCID, in the interest of justice the Criminal Original Petition is disposed of with the following directions:

- (i) The LOC issued against this petitioner shall be kept in abeyance for the present to enable the petitioner herein to come from Dubai and participate in the Trial;
- (ii) On reaching India, the petitioner shall appear before the Trial Court and file an affidavit stating that she will not leave the country without prior permission of the Trial Court till the disposal of the case;
- (iii) The respondent Police shall not disturb the petitioner herein after her arrival to India except in case of necessity, following due process of law.

6. With the above observations, the Criminal Original Petition is disposed of.

11.09.2024

jv



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Index: Yes/No

Internet: Yes/No

Note: Issue order copy on 12.09.2024

To

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5. Inspector of Police,
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Chennai.
6. The Public Prosecutor,
High Court of Madras



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Dr.G.JAYACHANDRAN,J.

jv

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