



W.P(MD)No.10895 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.10895 of 2024 and
WMP(MD) Nos.9704 & 9705 of 2024

Mohamed Rizwan

... Petitioner

Vs

1.The Bureau of Immigration,
Rep by its Assistant Director
(Immigration),
East Block VIII,
R.K.Puram,
Sector I, New Delhi.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

3.The Inspector of Police,
Thiruchitrambalam Police Station,
Thiruchitrambalam,
Thanjavur District.

...Respondents

PRAYER :Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, calling for the records in pursuant to the impugned Look Out Circular issued by



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the 1st respondent in Rc.No. C1/4371/2023 (LOC Suspect No. 2342041 dated 23.02.2023), on the basis of recommendation made by the 2nd and 3rd respondent police and quash the same as illegal.

For Petitioner : Mr.B.Anandan
For R2 & R3 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioner is the son of the defacto complainant. On the complaint given by his father, the respondent police has registered a case as against the petitioner and his elder brother in Crime No.395 of 2022 for the offence under sections 294(b), 323, 506(i) and 379 of IPC. The complaint alleged as against this petitioner is that on 20.06.2021, the petitioner assaulted his father, who is aged about 66 years, threatened him and forcibly took away 8 ¾ sovereigns of gold jewelry and a cash of Rs.1,30,000/- from his father. In the course of investigation, the investigating agency has requested the Assistant Director, Bureau of Immigration, New Delhi to issue a look out notice. Accordingly, the first respondent has issued a look out notice in Rc.No. C1/4371/2023 (LOC Suspect No.



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2342041 dated 23.02.2023). Challenging the same, the petitioner is before this Court.

2.The learned counsel for the petitioner submits that the petitioner is working in abroad and he is returning to India for attending his nephew's marriage. Due to the look out notice issued by the first respondent, he is not in a position to visit India. According to the petitioner, he was not in the scene of occurrence. However, the defacto complainant, with a grievance that this petitioner has not questioned the main accused/A1, his brother, has lodged a complaint as against him also. The learned counsel further submits that this petitioner undertakes that he would resolve the issue among the family members.

3.This Court considered the submissions made by the learned counsel for the petitioner and perused the materials placed on record.



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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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B.PUGALENDHI, J.

vrn

Order made in
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