



WP(MD)No.12371 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.12371 of 2024

S.Prem Nishanth

... Petitioner

Vs.

1.The Regional Passport Officer,
Office of the Regional Passport Office,
Rayala Towers, No.2 and 3,
IV Floor, Old No.785,
158, Anna Salai, Triplicane,
Chennai-600 001.

2.The Deputy Superintendent of Police,
District Crime Branch,
Tirunelveli District,
Tirunelveli.

3.The Inspector of Police,
District Crime Branch,
Tirunelveli District, Tirunelveli.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second respondent to withdraw the lookout circular against the petitioner with regard to the petitioner's Passport No.W9433449 and from preventing the petitioner for travelling abroad and detaining and arresting in any immigration (entry or exit) point in Indian and interfering with his freedom of movement.



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For Petitioner : Mr.T.Antony Arulraj
For Respondents : Mr.M.Karthikeyavenkitachalapathy
Central Government Standing Counsel for R1

Mr.T.Senthilkumar
Additional Public Prosecutor for R2 & R3

ORDER

The petitioner has approached this Court seeking a direction to the second respondent to withdraw the lookout circular as against the petitioner.

2.The petitioner is facing a trial in C.C.No.185 of 2024 before the learned Judicial Magistrate No.I, Tirunelveli, for the offence under Sections 504 and 509 of IPC and Section 4 of TNPHW Act, 2002. It appears that the petitioner is working in abroad and the defacto complainant is a very influential person and therefore, the investigation agency has made a request for issuing a Lookout circular as against the petitioner.

3.The learned counsel for the petitioner submits that while he was not aware of the case and when he returned to India, he was arrested and he was instructed to execute a bond before the concerned Judicial Magistrate and he has also appeared before the learned Judicial Magistrate and has executed a



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bond. He further submits that he will give assurance that he will appear before the trial Court as and when required by the Trial Court and co-operate for the trial, which is pending in C.C.No.185 of 2024.

4.Considering the conduct of the respondent police in seeking a Lookout circular in such a nature of cases, this Court is inclined to allow the writ petition and to quash the Lookout circular, which is pending against the petitioner. However, the petitioner has to file an affidavit before the concerned Court and also ensure that he will available for the trial in C.C.No.185 of 2024.

5.This Writ Petition is allowed accordingly. No costs.

Index :Yes/No
Internet : Yes/No
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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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B.PUGALENDHI,J.

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