



Crl.O.P.(MD)No.14297 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.14297 of 2022

and

Crl.MP(MD)No.11651 of 2022

Malarkkodi

... Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Koodakovil Police Station,
Madurai.

3.The Chief Immigration Officer,
Immigration Office,
Madurai Airport, Madurai.

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to direct the Additional Mahila Court, Thanjavur, to direct the respondents 1 & 2 herein to issue the Look Out circular against the accused persons on the basis of her representation dated 02.08.2022 within the time stipulated by this Court.

For Petitioner : Mr.Vasik Ali
For Mr.R.Mohamed Riyaz

For R1 & R2 : Mr.S.Manikandan
Government Advocate (Crl.Side)



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For R3 : No Appearance

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 & 2 herein to issue the Look Out circular against the accused persons on the basis of her representation, dated 02.08.2022 within the time stipulated by this Court.

2.The case of the prosecution is that the petitioner is the wife. There was matrimonial dispute between the petitioner and her husband. Hence, the petitioner made a complaint before the All Women Police Station, Theni against her husband and the same was registered in Crime No.47 of 2021. Hence, the husband of the petitioner filed Crl.OP(MD)No.19040 of 2021 seeking quashment of FIR in Crime No.47 of 2021 and the same was allowed on 28.02.2022 based on the undertaking given by the petitioner that he will not harass the petitioner in future. Against the said undertaking, the petitioner harassed the petitioner severely. Hence, there is necessary to re-call the order passed by this Court, dated 28.02.2022. If the order is re-called, the presence of the petitioner is required for trial. Hence, the petitioner is taking effective steps to leave from India. Hence, the petitioner filed this petition with the above said prayer.



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3.The learned counsel for the petitioner would submit that the petitioner sent a representation to the first respondent on 28.02.2022 to issue the Look Out circular against the accused persons. But, it was not considered. Hence, this Court may issue a direction to the second respondent to issue a Look Out Notice against the accused persons.

4.The learned Government Advocate (Crl.Side) would submit that if the petitioner has obtained any Court direction to issue a Look Out Notice, then, the same will be considered.

5. Recording the same, this Criminal Original Petition is dismissed with liberty to the petitioner to work out her remedy before the appropriate Court for appropriate relief where the issues pending. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
dss

12.02.2024



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M.DHANDAPANI, J.

dss

To

- 1.The Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Koodakovil Police Station,
Madurai.
- 3.The Chief Immigration Officer,
Immigration Office,
Madurai Airport, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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