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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-03-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

W.P. NO. 11512 of 2025

Nitharsan

Petitioner

Vs

1. Superintendent of Police,
District Police Office,
Mayiladuthurai – 609 001.

2. The Inspector of Police,
DCB – Mayiladuthurai Police Station,
Mayiladuthurai – 609 001.

3. The Asst. 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 Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation on 21.03.2025 and to recall and revoke the Lookout Circular issued against the petitioner, Nitharsan, S/o.Karthikeyan, holding Passport No.T6587017, in connection with Crime No.11 of 2023 in C.C.No.216 of 2024, pending on the file of Judicial Magistrate No.II at Mayiladuthurai.



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For Petitioner : Mr.Nithyaprian T.P.

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking a direction to direct the respondents to consider the petitioner's representation on 21.03.2025 to recall and revoke the Lookout Circular issued against the petitioner.

2. The petitioner is one of the accused in Crime No.11 of 2023, registered for the offence under Sections 406 and 420 of IPC, alleging that the accused person had received a sum of Rs.20,25,000/- on the assurance of getting a Government Job for the defacto complainant's brother. However, the accused failed to provide any Government Job and refused to return the money. Pursuant to the registration of the FIR, the petitioner's whereabouts were unknown and as such, the second respondent issued a lookout circular in order to secure him. He further submitted that the accused person filed Anticipatory Bail before this Court and obtained Anticipatory Bail on condition that the petitioner is directed to deposit a sum of Rs.6,00,000/- to the credit of Crime No.11 of 2023 and the same was also complied with. Further, the second respondent after the completion of investigation, filed a final report and the



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same was taken cognizance in C.C.No.216 of 2024, which is pending before the Judicial Magistrate No.II, Mayiladuthurai. That apart, now the petitioner seeks permission to visit abroad by having the circular withdrawn.

3. The learned Government Advocate (Crl.Side) appearing for the first and second respondent would submit that there is a possibility of the petitioner attempting to leave the country, and if the petitioner is permitted to go abroad, it will be very difficult to proceed with the trial.

4. In pursuant of the registration of FIR, the second respondent issued look out circular which is still pending. Admittedly, the investigation was completed and the trial is pending.

5. In view of the above facts and circumstances of the case, the second respondent is directed to keep the look out circular notice in abeyance. The petitioner is directed to file an affidavit before the Trial Court stating about his place of stay in abroad and furnish the correct contact number before visiting abroad. As soon as he return India, he shall report before the Investigating Officer about his return and co-operate with the investigation.



WEB COPY 6. With the above direction, the second respondent is directed to pass appropriate orders within a period of one week from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

28.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

drl

To

1. Superintendent of Police,
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2. The Inspector of Police,
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Mayiladuthurai – 609 001.

3. The Asst. Director/SIC
Bureau of Immigration
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4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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