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WP CrI. Nos. 1390 & 1393 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP CrI. No. 1390 of 2025 & WPMP.CrI.Nos.672 & 673 of 2025

and

WP.CrI.No.1393 of 2025 & WPMP.Nos.674 & 675 of 2025

1. NANDAKUMAR

S/o. Subhurathinam, No.1-1, Kamaraj
Nagar, Mettur Main Rod, Anthiyur
Taluk, Ammapettai, Erode-638311.

Petitioner in both
WP.Crls.

Vs

1. Union of India

Through its Ministry of Home Affairs,
New Delhi.

2.The Bureau of Immigration

Ministry of Home Affairs

Government of India, Rep by its
Commissioner (Immigration), east
Block VIII, Level V, Section-1,
R.K.Puram, New Delhi-110.

3.The Foreigners Regional Registration
Office

No.26, Haddows Road, Shastri Bhawan Respondents 1 to 3 in both WP.Crls.
Annexure, Nungambakkam.

4.The Superintendent of Police

Office of the Superintendent of Police,
Dharmapuri-636705.

5.The State rep by its Inspector of
Police



Adiyamankottai Police Station,
Dharmapuri.

Respondents 4 & 5 in W.P.CrI.1390 of
2025

4.The Deputy Commissioner of Police
Anna Nagar, Chennai.

5.The State Rep.by its
Inspector of Police,
V-5, Tirumangalam Police Station,
Chennai.

Respondents 4 & 5 in W.P.No.1393 of
2025

PRAYER: The writ petition filed under Article 226 of Constitution of India for issuance of a Writ of Certeriori, to call for the records of the 2nd respondent the Look Out Circular Nos.2025/970/0002763 dated 20.04.2025 & 1/SIC/LOC/ACK/2024/2400010634 dated 10.08.2024 and quash the same.

For Petitioner in both Mr.M.Mohammed Riyaz
WP.Crls. for Mr. M.Sabarinathan

For Respondent(s): Mr.K.Subbu Ranga Bharathi
Nos.1 to 3 in both
WP.Crls.

For Respondent
Nos.4 & 5 in both
WP.Crls. Mr.K.M.D.Muhilan
Additional Public Prosecutor

COMMON ORDER

By consent of both the parties, the matters are taken up together for disposal.

2.These writ petitions (CrI.) have been filed for issuance of a Writ of Certeriori, to call for the records of the 2nd respondent's Look Out Circular Nos.2025/970/002763 dated 20.04.2025 &



1/SIC/LOC/ACK/2024/2400010634 dated 10.08.2024 and quash the same.

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3. The learned counsel appearing for the petitioner submitted that the petitioner is an Indian national having business activities in Malaysia. The petitioner is an accused in Crime No.213 of 2022 registered by the 5th respondent in WP.CrI.No.1390 of 2025, initially for the offence under Section 174 Cr.P.C, which was later altered to Section 302 IPC. The 5th respondent, after completing the investigation, filed the charge sheet and the case is pending committal in P.R.C No.22 of 2023 on the file of the Judicial Magistrate No.II, Dharmapuri. Further, it is submitted that the petitioner is also an accused in Crime No.100 of 2024 registered by the 5th respondent in WP.(CrI.)No.1393 of 2025 for offences under Sections 147, 148, 294(b), 323, 448, 427 and 506(2) IPC. In that case, the petitioner was arrested and remanded to judicial custody and after 12 days, he was granted bail in CrI.M.P.No.18256 of 2024 on 02.04.2025 by the learned XIII Metropolitan Magistrate, Egmore.

4. He further submitted that after grant of bail by the XIII Metropolitan Magistrate, the petitioner went to Malaysia. When he was in Malaysia, the bail granted to him was cancelled by this Court in CrI.O.P.No.10697 of 2024 vide order dated 11.07.2024, against which, the petitioner preferred SLP (CrI.)No. 13422 of 2024 and the same was dismissed by the Hon'ble Supreme Court on 15.04.2025. Hence, the petitioner was unable to return to India. In the



meantime, the learned Judicial Magistrate No.II, Dharmapuri issued a Non-Bailable Warrant in PRC No.22 of 2023. On account of the issuance of the NBW, cancellation of bail and the request made by the 5th respondent in both cases, the superior officers have issued a Look Out Circular against the petitioner, which is pending.

5.The learned counsel for the petitioner further submitted that on account of the pendency of the above proceedings, the petitioner is unable to return to India and participate in the trial. He submitted that the petitioner has executed an undertaking affidavit from Malaysia, wherein, he undertakes to return to India if the Look Out Circular is kept in abeyance for two days. The petitioner has booked a flight for 01.12.2025, which arrives at the Chennai International Airport on the same day. He has further undertaken to voluntarily surrender before the committal Court, viz., the Judicial Magistrate No. II, Dharmapuri for recalling the warrant and thereafter, to surrender before the XIII Metropolitan Magistrate, Egmore. Hence, he seeks that the LOC may be kept in abeyance for a period of two days.

6.Mr.K.M.D.Muhilan, learned Additional Public Prosecutor appearing for the respondents 4 & 5 submitted that since the petitioner had been absconding for a long time, a Look Out Circular had been issued against him. However, he submitted that if the petitioner has agreed to surrender before the Court, the respondents 4 & 5 have no objection to the Look Out Circular being kept in



abeyance for two days, i.e. 01.12.2025 and 02.12.2025.

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7.Mr.K.Subbu Ranga Bharathi, learned counsel appearing for the respondents 1 to 3 submitted that the Look Out Circular has been kept pending at the request of the 5th respondent police in both cases. However, he submitted that if this Court directs that the Look Out Circular be kept in abeyance for two days so as to enable the petitioner to enter into India and join the judicial process, the directions may be duly complied with.

8.Heard the submissions made by the learned counsel for the petitioner as well as the learned counsel for the respondents and perused the materials available on record.

9.Taking into consideration the submissions that the petitioner has undertaken to join the judicial process by surrendering before the Courts below, the respondents 1 to 3 are directed to keep the Look Out Circular issued by the Superintendent of Police, Dharmapuri and the Deputy Commissioner of Police, Anna Nagar, in respect of the petitioner Nandakumar S/o.Subhurathinam, holding Passport No.T6441798 issued by the Coimbatore Passport office, in abeyance, on 01.12.2025 and 02.12.2025, to enable the petitioner to return to India. If the petitioner does not comply with the



undertaking given by him, the respondents are directed to proceed in accordance with law.

10. In view of the above, the writ petitions (CrI) are disposed of. Consequently, connected miscellaneous petitions are closed. It is made clear that the Look Out Circular against the petitioner shall be revived on 03.12.2025.

27-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

sms

Note: Issue order copy on 28.11.2025.



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