



WP CrI. No. 1624 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 1624 of 2025

AND

WPMP CrI. No. 772 of 2025

H.Mahendar

S/o.S.Hari, Represented by his power
agent, Kaveri Hari,
W/o.S.Hari, Aged about 66 years,
A4 Elements, No. 5, 8th Cross Street,
Shastri Nagar, Adyar,
Chennai - 600 021.

Petitioner

Vs

1. Union of India,
Ministry of Home Affairs,
Hall No.18, 2nd Floor, MDCN Section,
India Gate, New Delhi.

2.The Chief Immigration Officer
26, Shastri Bhavan Annexe,
Haddows Road, Chennai 600 034,



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3.The Commissioner of Police,
Greater Chennai,
E.V.K's Sampath Salai, Vepery,
Chennai.

4.The Inspector of Police
Central Crime Branch, GAMA-2
Vepery, Chennai – 07.

Respondent(s)

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1. H.Mahendar
S/o.S.Hari, Represented by his power
agent, Kaveri Hari, W/o.S./Hari, Aged
about 66 years, A4 Elements, No. 5, 8th
Cross Street, Shastri Nagar, Adyar,
Chennai - 600 021.

Appellant(s)

Vs

1. Union Of India
Ministry of Home Affairs, Hall No.18,
2nd Floor, MDCN Section, India Gate,
New Delhi.

2.The Chief Immigration Officer
26, Shastri Bhavan Annexe, Haddows
Road, Chennai 600 034, Tamilnadu.



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3.The Commissioner of Police
Greater Chennai, E.V.K.s Sampath
Salai, Vepery, Chennai.

4.The Inspector of Police
central Crime Branch, GAMA-2
Vepery, Chennai.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India, 1950 praying to issue a writ of mandamus directing the respondents to withdraw the unserved Look out Circular (LOC) issued against the petitioner in pursuance of F.I.R. No.84 of 2020, on the file of 4th respondent, which was quashed by this Court as far as it pertains to the petitioner, vide order dated 09-07-2024 in CrI.O.P.No.2876 of 2023.

For Petitioner : Mr.V.Raghavachari, Senior Counsel
for Mr.Vishnu.VR
For Respondents- : Mr.Venkataswamy Babu
1 & 2 Senior Panel Counsel, Government of India
For Respondents- : Mr.K.M.D.Muhilan
3 & 4 Additional Public Prosecutor

ORDER

The petitioner filed this writ petition seeking a direction to the respondents to withdraw the Look Out Circular (LOC) issued against the petitioner in connection with F.I.R.No.84 of 2020 by the fourth respondent and



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quash the LOC permitting the petitioner to have free access to travel.

2.The contention of the petitioner is that the petitioner is a Green Card Holder and working as Chief Executive Officer in a company named “NVIDIA” at United States of America (USA). The petitioner moved to United States in the year 2005 for higher studies and later got employed and settled in USA. The petitioner used to visit India whenever it is possible to take care of his aged parents and to spend time with them. While so, a complaint dated 27.03.2019 lodged against the petitioner, his mother and others making allegation of impersonation for a transaction which took place in the year 2003 and a case in Crime No.84 of 2020 registered by the fourth respondent.

3.The complaint is that the de-facto complainant/Aariyal, Mother of one Selvavinayagam, lodged a complaint that her son was murdered by her elder son-in-law and a case was registered against him and the same is pending trial before the Sessions Court, Salem. When her son was alive, he purchased a



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property in Sholinganallur village and registered as Document No.1178/1994 dated 23.03.1994. The mother of Selvavinayagam applied for encumbrance certificate and found that the petitioner purchased the said property by Document No.3143/2003. On further enquiry, she found that her son-in-law Rajendran signed as a witness. Further she doubted the signature of her son. Thereafter, she lodged a complaint and a case registered against the said Rajendran and four others, in which, the petitioner shown as Accused No.5.

4.The learned Senior Counsel for the petitioner submitted that the petitioner earlier filed a quash application before this Court in CrI.O.P.No.2876 of 2023 on the ground that Document No.3143/2003 transaction took place when the petitioner was Engineering college student and it was his mother Kaveri Hari, who purchased the property paying through pay order. This being so, almost 17 years thereafter a complaint lodged with an ulterior motive. The petitioner's mother filed a quash application in CrI.O.P.No.11640 of 2021 and this Court, by the order dated 07.07.2022 quashed the proceedings as against



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her. When the petitioner's quash application in CrI.O.P.No.2876 of 2023 was taken up for consideration, at that time the learned Government Advocate for the respondent police submitted to the Court that pursuant to the investigation in Crime No.84 of 2020, charge sheet filed in C.C.No.7129 of 2023 against two persons and the petitioner herein not arrayed as accused in the final report. The same recorded in the order dated 09.07.2024. This being so, the petitioner, when he decided to spend time with his elderly parents in Tamil Nadu, landed in Rajasthan on 08.12.2025 to attend some commitments and the petitioner arrived Rajasthan and he was detained by immigration Officers in the Airport, Rajasthan and he was detained for almost 6 hours by the immigration authorities. It was informed that LOC issued against the petitioner pursuant to F.I.R.No.84 of 2020. Thereafter explaining to them that petitioner is not an accused in the said crime number and already investigation completed, charge sheet filed, reluctantly petitioner was let go. The petitioner came to India for a limited period, he already made arrangements and he has to return to USA on 16.12.2025. When the immigration authorities informed the fourth respondent



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about the arrival and detention of the petitioner, the fourth respondent ought to have informed the status of the case and withdrawn the LOC, but woke up from slumber and issued a notice under Section 41-A of Cr.P.C. on the same day, i.e. on 08.12.2025 served to the petitioner's father, who is in Chennai, directing the petitioner to appear on 10.10.2025 at 10.30 a.m. for enquiry. This is nothing but a shield to cover up act, anticipating action as per Clause 6(G) of the Office Memorandum dated 22.02.2021, wherein it is stated that the legal liability of the action taken by the immigration authorities in pursuance of the LOC rests with the originating agency. He further submitted that right to travel is a fundamental right which this Court and Hon'ble Apex Court time and again reiterated, issuance of LOC is an extreme coercive measure to prevent an accused from evading arrest or trial or not submitting to the investigating agency. In the present case, petitioner name deleted in the final report. Further even as on 08.12.2025 only 41-A notice issued confirming that there is no requirement for petitioner's arrest or detention. The petitioner is called to give some explanation, for this reason keeping live the LOC for a closed case is improper.



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5.The learned Additional Public Prosecutor appearing for the respondents 3 and 4 submitted that in this case the property situated in Sholinganallur village, Tambaram involves fake transaction. The Selvavinayagam purchased the property in Document No.1178/1994 who was murdered on 21.12.2014 by his brother-in-law Rajendran. The petitioner purchased the property from an impersonator. Now the petitioner states that he sold the property in Document No.9181/2019 on 06.11.2019 to one Nagendra Kumar. The petitioner's role was considered and finding that at the time of purchase the petitioner was a college student, further sale consideration paid through bank and also considering other facts of the case, the petitioner name was dropped from the final report and now charge sheet filed against one Rajendran and Prakasam and the case is pending in C.C.No.7129 of 2023.

6.He further submitted that LOC issued at the time of investigation in Crime No.84 of 2020. The petitioner was aware about the LOC. In fact, he filed



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a quash petition before this Court, at that time there was no objections raised by the petitioner but when the petitioner was detained by the immigration authority it is now projected as though the petitioner is been targeted. He further submitted that on the objections raised by the petitioner, on scrutiny of the materials, the Additional Commissioner of Police, Central Crime Branch, Chennai had sent a communication in C.No.66/ACOP-CCB/Camp/LOC/2025 dated 10.12.2025 to the Assistant Director of Immigration Authority, New Delhi requesting to cancel the LOC against the petitioner. On receipt of this letter, the immigration authority deleted the LOC issued against the petitioner.

7.The learned Senior Panel Counsel appearing for respondents 1 and 2 submitted that Ministry of Home Affairs, Foreigners Division (Immigration Section) issued a guidelines for issuance of LOC in respect of Indian citizens and foreigners. Following the circular, on the request of the originator LOC opened. Once it is opened it is uploaded in the system of Immigration Authority. It is retained there, until the originator makes a request to cancel the same. This



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procedure followed to ensure that no offenders escape from the clutches of law, on the request of Investigating Agency and Courts person against whom LOC issued are detained in the immigration post. Since LOC was active against the petitioner, he was detained and informed post to the originator. Now a communication received from the Additional Commissioner of Police, Central Crime Branch, Chennai and the LOC deleted against the petitioner.

8.Considering the submissions made on either side and on perusal of the materials, it is seen that earlier during investigation in Crime No.84 of 2020 LOC was issued, for some reason originator not sent a request for cancellation. Hence it was not cancelled. It is not in dispute that Crime No.84 of 2020 culminated into C.C.No.7129 of 2023 wherein two persons only arrayed as accused. The petitioner is not an accused in the charge sheet, which is recorded in CrI.O.P.No.2876 of 2023. In view of the above, the continuation of LOC is not justified. Added to it, the learned Additional Public Prosecutor produced a communication requesting to cancel the LOC against the petitioner and BOI had



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cancelled the LOC issued against the petitioner. For the sake of clarity, the said communication is scanned hereunder:

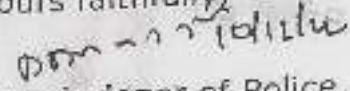
POLICE DEPARTMENT	
From	To
Addl. Commissioner of Police Central Crime Branch, Greater Chennai Police, Vepery, Chennai- 600007	The Assistant Director SIC, R K Puram, Sector-1, BOI Hqrs, East Block VIII, Sec-1, R.K. Puram, New Delhi - 110066.
C.No. 66 /ACOP-CCB/Camp/LOC/2025	Dated : 0.12.2025
Sir,	
Sub : Greater Chennai Police - Central Crime Branch - deletion of Look Out Circular (LOC) against Tr. Mahender S/o Hari - involvement in a Criminal Cases.	
Ref : 1) CCB Cr.No.84/2020 U/s.419,420,465,467,468,471 and 120(B) IPC 2) Look out Circular No.39/ACOP-CCB/CAMP/LOC/2023 Dated: 30.11.2023 3) SIC DY No.52400 DTD 30.11.2023	
--o0o0o--	
A case in CCB Cr.No.84/2020 u/s 419, 420, 465, 467, 468, 471 & 120 (B) IPC was registered by Land Fraud Investigation Wing - I in Central Crime Branch, Greater Chennai Police, Tamilnadu against the Tr. Mahender S/o Hari having Indian Passport Number Y5368222, has been initiated LOC against this Mahender in LOC Suspect No. From 2353395 to 2353395.	
Now, It is requested that the LOC issued against the accused Tr.Mahender vide ref. (ii) cited may be cancelled.	
<u>Details of the said accused is as follows</u>	
1. Name	: MAHENDER
2. Date of Birth	: 27.11.1983
3. Father Name	: HARI
4. Passport No.	: Y5368222
5. Valid Upto	: 17/10/2033



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6. Address : A4 Elements,
No. 5, 8th Cross Street,
Shastri Nagar, Adyar
Chennai – 600 020.

Yours faithfully,

Addl. Commissioner of Police,
Central Crime Branch,
Greater Chennai Police,
Vepery, Chennai – 07.

LOC Deletion against Mahender



From jcopccbgcp.dgp <jcopccbgcp.dgp@tn.gov.in>
To Boihq <boihq@nic.in>
Date 2025-12-10 14:14

 LOC Deletion Against Tr.Mahender.pdf (~1.1 MB)

Sir / Madam

LOC deletion against Tr.Mahender



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Now the Look Out Circular (LOC) issued against the petitioner is cancelled.

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Now the petitioner has no obstruction and has free passage without any hindrance.

9.Recording the same, the Writ Petition is disposed of. Consequently, the connected writ miscellaneous petition is closed.

10-12-2025

Index : Yes/No

Internet : Yes/No

Speaking order/Non-speaking order
rsi

Note: Issue Order Copy on 12.12.2025.

To

1. Union Of India

Ministry of Home Affairs, Hall No.18,
2nd Floor, MDCN Section, India Gate,
New Delhi.

2.The Chief Immigration Officer

26, Shastri Bhavan Annexe, Haddows
Road, Chennai 600 034, Tamilnadu.

3.The Commissioner of Police

Greater Chennai, E.V.K.s Sampath



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4.The Inspector of Police
central Crime Branch, GAMA-2
Vepery, Chennai.

5.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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10.12.2025