



W.P.(MD) No.6558 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.(MD) No.6558 of 2025

Ramachandran Vijilakumar,

... Petitioner

Vs.

1. The Foreign Regional Registration Officer (FRRO),
Bureau of Immigration,
Ministry of Home Affair,
Government of India,
No.26, Haddows Road,
Chennai.

2. The Superintendent of Police,
Tirunelveli District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 1st and 2nd respondent to cancel the look out circular issued against him in connection with the case in Crime No.17 of 2024 pending on the file of the 3rd respondent forthwith by considering the petitioner's representation dated 21.02.2025.



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For Petitioner : Mr. R.Anand
For R1 : Mr.K.Govindarajan
Deputy Solicitor General of India
For R2 & R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

ORDER

This writ petition has been filed by the petitioner to direct the 1st and 2nd respondents to cancel the lookout circular issued against him in connection with the case in Crime No.17 of 2024 pending on the file of the 3rd respondent by considering the petitioner's representation dated 21.02.2025.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the accused in Crime No.17 of 2024 on the file of the 3rd respondent. The petitioner is running a Company, namely, Skillinx HR Solutions Private limited and thereby, for business purpose, he used to go to various places. In the mean time, when the petitioner was in out of station, the 3rd respondent police registered the above said F.I.R and immediately, they issued lookout notice. Thereafter, the petitioner was arrested and released on bail, vide CrI.M.P.No.8571 of 2024 dated



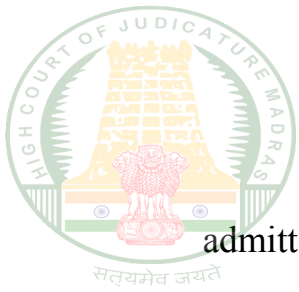
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28.11.2024 on the file of the Principal Sessions Court, Tirunelveli, but still the said lookout circular is pending. The said lookout circular was issued only for the purpose of securing the petitioner in the above said Crime No.17 of 2024. Thereafter, the petitioner was arrested and granted bail. Therefore, the above said lookout circular is liable to be quashed.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.2 and 3 would submit that based on the complaint given by the defacto complainant, they registered a case in Crime No.17 of 2024 under Section 420 and 120(B) of IPC. Thereafter, the petitioner was evading from arrest and he was arrested at Nepal. In the mean time, they issued lookout circulate due to absconding of the petitioner. Thereafter, the petitioner was arrested and released on bail. Now the lookout circular is pending.

4. This Court heard both sides and perused the records.

5. The prayer of the petitioner is to cancel the lookout circular issued against the petitioner based on the representation dated 21.02.2025. But, in spite of that, no order was passed by the respondents. It is an



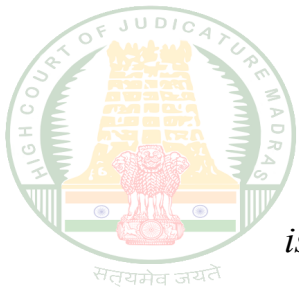
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admitted fact that, there are no other cases pending against the petitioner

and only case pending against the petitioner is in Crime No.17 of 2024

and thereafter, he was released on statutory bail through an order dated 28.11.2024. Once the petitioner released on bail, there is no need for pendency of lookout circular. At this juncture, the learned counsel for the petitioner has also relied upon the judgment of this Court in *S.Sadasivam Vs. The Superintendent of Police, Coimbatore* in CrI.OP.No.637 of 2022 dated 03.02.2022. Wherein, this Court observed para nos.7 and 8 as follows:

7.Considering the submission and on perusal of the materials, it is seen that the petitioner, who is the first accused in Crime No.15/2021, obtained Anticipatory Bail from this Court and he complied with all the conditions imposed on him by this Court, further he cooperated with the investigation. The request for lookout circular was given on 30.04.2021. At the initial period of investigation, since the petitioner not available there. Once anticipatory bail is granted, question of abscondance does not arise. The Hon-ble Apex Court in catena of judgments following the case of “Menaka Gandhi Versus Union of India reported in AIR 1978 SC 597” consistently held that it is a constitutional right of a person to travel abroad and no one should be deprived of his life and liberty except by the procedure established in law. It



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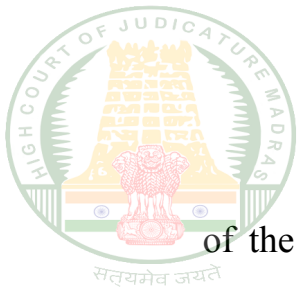


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is to be stated that the petitioner is intending to meet his son, who is residing in San Francisco. Therefore, this Court following same in the case of "E.V.Perumalsamy Reddy and others Versus State represented by the Deputy Commissioner of Police reported in 2014 (1) MLJ 125" and in the case of "S.Martin Versus the Deputy Commissioner of Police, Central Crime Branch reported in 2014 (1) MLJ 647" wherein it is held that once a person is granted bail, no question of sustaining Look Out Circular would arise, unless the person is involved in any heinous crimes and in terrorist activities. In this case, the petitioner paid the entire amount and he got Anticipatory bail, not involved in any heinous offence.

8.In view of the same, this court quashes the Look Out Circular issued against the petitioner in Crime No.15 of 2021. The petitioner holder of Passport No.Z2910332 is free to travel without any restriction in and out of India and the petitioner shall not be detained by immigration or any other authorities. The petitioner to inform the second respondent about his travel details such as date of departure and arrival, place of stay and his contact details like mobile number and email address by mail or other communication."

6. In view of the above said judgment and facts and circumstances



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of the case, no any other case is pending against the petitioner and the petitioner was also released on bail vide CrI.M.P.No.8571 of 2024 dated 28.11.2024 on the file of the Principal Session Court, Tirunelveli, the pending lookout circular is nothing but an abuse of process of law. Therefore, this Court is inclined to quash the lookout circular on the file of the 3rd respondent issued against the petitioner in Crime No.17 of 2024. Accordingly, this writ petition is allowed. No costs.

20.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

1. The Foreign Regional Registration Officer (FRRO),
Bureau of Immigration,
Ministry of Home Affair,
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No.26, Haddows Road, Chennai.

2. The Superintendent of Police,
Tirunelveli District.

3. The Inspector of Police,
District Crime Branch,
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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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