



W.P(MD)No.12237 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.12237 of 2024

Rev.Dr.Norman Bhasker

... Petitioner

Vs

**1. The Commissioner of Police,
Trichy City,
Trichy District.**

**2. The Inspector of Police,
CCB Police Station,
Trichy City,
Trichy District.**

**3. The Foreigner Regional Registration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Sastri Bhavan Anna Building,
No.26, Haddows Road,
Chennai.**

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the



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2nd respondent herein in his proceedings No. Nil dated 11.05.2024 and quash the same as illegal and consequently direct the 1st respondent herein to recall the look-out Notice circular issued to the Immigration authority at Bangalore Airport and all other airports in India in Crime No. 17 of 2017 on the file of CCB Police, Trichy City, Trichy District within a time stipulation.

For Petitioner : Mr.S.Sarvagan Prabhu,

For R1 and R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

For R3 : Mr.K.R.Laxman

ORDER

This Writ Petition has been filed seeking to quash the impugned proceedings issued by the second respondent herein in his proceedings No. Nil dated 11.05.2024 and consequently direct the 1st respondent herein to recall the lookout notice circular issued to the Immigration Authority at Bangalore Airport and all other airports in India in Crime No.17 of 2017 on the file of CCB Police, Trichy City, Trichy District within a time stipulation.



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2.The learned Counsel appearing for the petitioner would submit that the second respondent through his proceedings, dated 11.05.2024 issued lookout notice to the third respondent based on an FIR in Crime No.17 of 2017 on the file of the CCB Police, Trichy District. The petitioner is a Pastor at Assembly of God Church for the past 35 years. In the year 2016, he had acted as Treasurer for the said Church for all over Tamil Nadu. While so, during the relevant period of time, the petitioner and other Church members proposed to sell the property standing in the name of the Church in Trichy to VGP Group. After receiving advance amount, the petitioner and other members failed to sell the property. Therefore, the VGP group preferred a complaint against the petitioner and others before the second respondent, thereby, an FIR in Crime NO.17 of 2017 was registered for the offence under Sections 406, 420 and 120(B) of IPC and then the petitioner was arrested and remanded to judicial custody and subsequently, he was released on bail. Till date, no final report was filed. In order to visit the petitioner's daughter, who is residing at USA, on 02.05.2018 the petitioner along with his wife reached Bangalore Airport to board a flight to travel to USA. At that time, the Immigration authority at Bangalore Airport restricted the petitioner's entry due to the lookout notice issued by the



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respondent police. Therefore, the petitioner was unable to visit his daughter. Originally, this case was registered by the respondent police in the year 2016 without conducting any investigation and the same is pending without filing any final report. He also sent the representation dated 08.03.2024, but the same was rejected by the respondent police that they have no power to cancel the lookout notice. Only because of pending of this case from 2017, the right to travel of the petitioner cannot be curtailed. Therefore the said proceedings are challenged through this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the complaint lodged by the defacto complainant an FIR in Crime No.17 of 2017 was registered against the petitioner and others and thereafter, the petitioner was arrested and remanded to judicial custody and subsequently, he was released on bail. Thereafter, the respondent police are unable to find out the petitioner, thereby, they issued lookout notice and the same is pending. Hence this petition is liable to be dismissed.

4.Heard both sides and perused the records.



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5.It is an admitted fact that the second respondent issued lookout notice to the Immigration Authority. During the pendency of this case, the petitioner was released on bail and the same is also not denied by the second respondent. Moreover, there are no other cases pending against the petitioner. The lookout notice was issued only to secure the presence of the petitioner in respect of Crime NO.17 of 2017. Therefore, the lookout notice is unnecessary one since the petitioner was already released on bail.

6.It is also an admitted fact that there are no other previous cases pending against the petitioner. Under these circumstances, it is appropriate to allow this petition and therefore, the impugned order passed by the first respondent that he has no power to cancel the lookout notice is quashed. Since the second respondent issued the lookout notice, the first and second respondents are directed to cancel the lookout notice issued against the petitioner, in accordance with law.



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7. With the above observations and direction, this Writ Petition is

allowed.

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29.04.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR

To

1. The Commissioner of Police,
Trichy City,
Trichy District.

2. The Inspector of Police,
CCB Police Station,
Trichy City,
Trichy District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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