



Crl.M.P(MD)No.18380 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.11.2025

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THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.M.P(MD)No.18380 of 2025

in

CRL.O.P(MD) No.16022 of 2024

A.Syed Ali Fathima

: Petitioner

Vs.

1.The State of Tamil Nadu rep.by
the Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Keelakarai All Women Police Station,
Ramanathapuram District.

3.The Regional Passport Officer,
Regional Passport Office,
Kochadai, Madurai.

4.M.Muhamed Yazar

: Respondents

Prayer : This Criminal Miscellaneous Petition is filed under Section 528 of B.N.S.S., to recall the order passed by this Court in Crl.O.P. (MD)No.16022 of 2024, dated 24.09.2024.

For Petitioner : Mr.P.Gunasekaran,



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For Respondents : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)
for R1 & R2.

: Mr.S.Selva Krishnan,
Central Government Standing Counsel, for R3.

: Mr.A.K.Manikkam, for R4.

ORDER

The Criminal Miscellaneous Petition has been filed seeking orders to recall the order passed in Crl.O.P(MD)No.16022 of 2024, dated 24.09.2024.

2.The fourth respondent filed a petition in Crl.O.P(MD)No.16022 of 2024, seeking direction to the Superintendent of Police, Ramanathapuram District, to withdraw the Lookout Circular issued against the petitioner therein in connection with Crime No.8 of 2024 on the file of the third respondent therein, which was taken cognizance in C.C.No.136 of 2024 on the file of the Additional Mahila Court, Ramanathapuram. This Court considering the submission made by the learned Additional Public Prosecutor that the third respondent therein/Inspector of Police, Keelakarai All Women Police Station, Ramanathapuram District sent a requisition to the Superintendent of Police, Ramanathapuram District to issue



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Lookout Circular, but the case was not taken on file at that time and that the petitioner was not declared as absconding accused or that NBW was pending against him at that time and taking note of the submission made on behalf of the complainant, this Court directed the petitioner to file an affidavit that he will cooperate for the trial and after filing of affidavit, the Superintendent of Police, Ramanathapuram, was directed to take necessary steps to withdraw the Lookout Circular on or before 26.09.2024 and with the above direction, the Criminal Original Petition was disposed of.

3. The learned counsel for the petitioner would submit that after withdrawal of Lookout circular and despite filing an affidavit that he would cooperate for the trial, the fourth respondent has been absenting for the hearings before the trial Court and that therefore, the petitioner was constrained to file the above petition to recall the earlier order.

4. The learned counsel appearing for the fourth respondent would submit that he appeared on some of the hearings and received the copies of records under Section 207 of Cr.P.C., and the trial Court has already framed the charges and is now pending for examination of the witnesses.



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5. Whatever it is, if the fourth respondent is not cooperating for the trial or is filing application under Section 317 Cr.P.C., to condone his absence repeatedly, the petitioner can very well approach the concerned Court, directing for the fourth respondent's appearance. But that by itself is not a ground to recall the earlier order. Considering the above, this Court concludes that the above petition is devoid of merits and the same is liable to be dismissed.

6. In the result, the Criminal Miscellaneous Petition is dismissed. The petitioner is at liberty to take appropriate proceedings before the concerned Court, if so advised, in the manner known to law.

25.11.2025

das

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.
- 2.The Inspector of Police,
Keelakarai All Women Police Station,
Ramanathapuram District.
- 3.The Regional Passport Officer,
Regional Passport Office,
Kochadai, Madurai.

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K.MURALI SHANKAR,J.

das

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

Order made in
Crl.M.P(MD)No.18380 of 2025
in
CRL.O.P(MD) No.16022 of 2024

25.11.2025