

(2025) 04 KAR CK 0427

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 11386 Of 2025 (GM-POLICE)

Mohammed Shareek

APPELLANT

Vs

State By Sho, Udupi Town Police Station, Represented By
State Public Prosecutor High Court Of Karnataka Ambedkar
Veedhi, Bangalore - 560001

RESPONDENT

Date of Decision : 16-04-2025

Acts Referred:

Central Goods And Service Act, 2013 — Section 73, 73(9), 74, 128(A)

Citation : (2025) 04 KAR CK 0427

Hon'ble Judges : S.R. Krishna Kumar, J

Bench : Single Bench

Advocate : Hanjer Raghavendra Basavaraj, Madanan Pillai, Aravind V. Chavan

Final Decision : Allowed

Judgement

Suraj Govindaraj, J

1. The petitioner is before this Court seeking for the following reliefs:

i. To issue a writ of mandamus or any other appropriate order, directing the Udupi Police to withdraw the Look-Out-Circular issued against the petitioner in respect of the case in Crime No.110/2024 of Udupi Town Police Station, of which cognizance is taken by the order dated 24.10.2024 passed by Principal Civil Judge & JMFC, Udupi, for the offences punishable under Sections 365, 323, 504, 506, 109 r/w 34 of IPC, produced at Annexure-A.

ii. Issue such other relief/s as it deemed fit to grant in favour of the petitioner by this Hon'ble Court in view of the facts and circumstances of the cases, in the interest of justice.

2. The contention of Ms.Haleema Ameen., learned counsel for the petitioner is that the petitioner has secured a job in Saudi Arabia, as per which a Visa has been issued to him in terms of Annexure-E. Her submission is that if the

petitioner were not to report to work by 22.4.2025, the Visa would stand cancelled thereby the petitioner's job would be put in jeopardy. Her further submission is that the petitioner shall be present before the trial Court on all the dates that he is required to be present namely for answering charge, for recording of plea, for his evidence if necessary, 313 statement, etc.

3. Placing her submission on record, I pass the following;

ORDER

i. The writ petition is allowed.

ii. A mandamus is issued, directing the respondent-Udupi Police to withdraw the Look-Out-Circular issued against the petitioner in Crime No.110 of 2024 of Udupi Town Police Station, now pending on the file of the Principal Civil Judge in JMFC Udupi.

iii. Needless to say, if the petitioner were not to be present on any of the dates where the petitioner is required to be present, the respondent would be free to issue the Look-Out-Circular as also to cancel his passport to obtain the appearance of the petitioner in the proceedings.