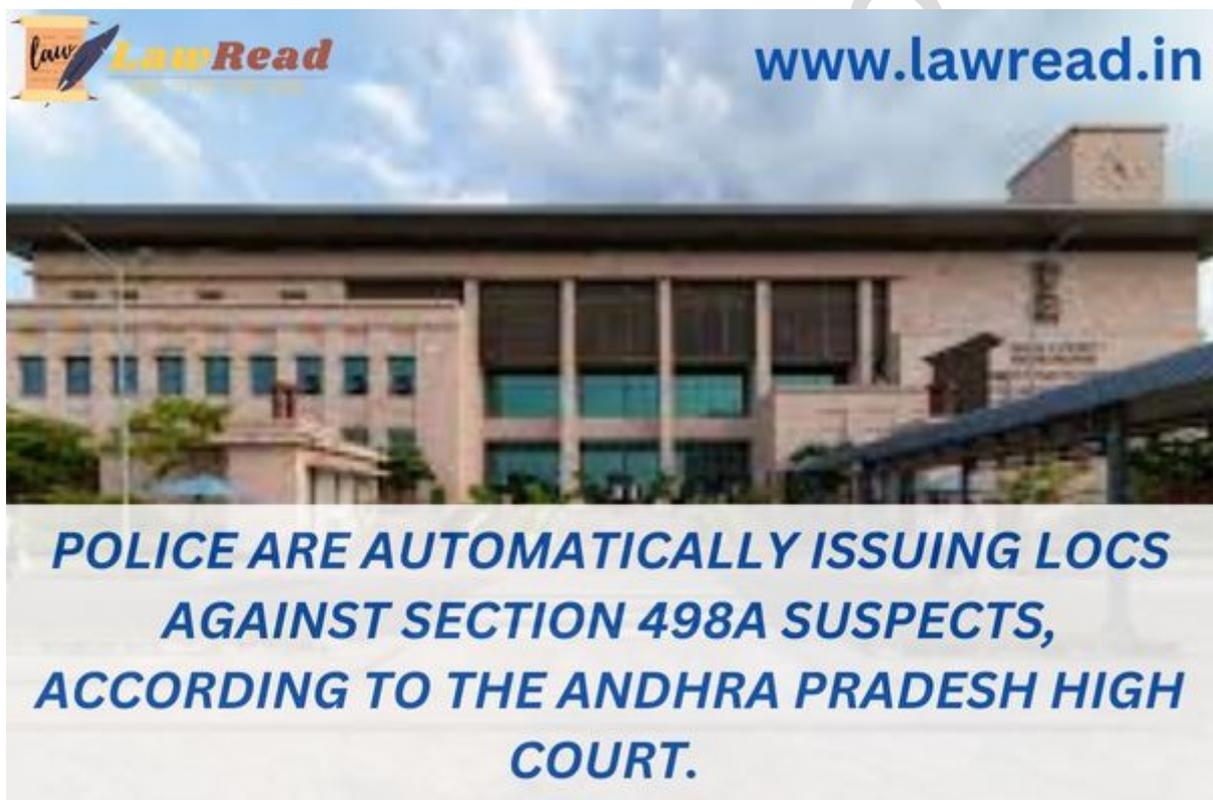


# News

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**Police are automatically issuing LOCs against Section 498A suspects, according to the Andhra Pradesh High Court.**



***According to the Court, a LOC may be granted if the charges against an accused person are so serious as to be harmful to the country.***

Recently, the authorities were questioned by the Andhra Pradesh High Court for regularly issuing Look Out Circulars (LOCs) against husbands who are accused of cruelty under Section 498A of the Indian Penal Code (IPC).

***According to Justice K Sreenivasa Reddy, a LOC may be granted if the charges against an accused person are serious enough to harm the country, but such measures to prevent overseas travel should not be utilized when the offense is not serious.***

Recently, it has been usual for the respondent or police to open the LOCs in a mechanical manner in every case that has been registered under Section 498-A IPC, without considering whether the petitioner is assisting with the trial or avoiding arrest. It is imperative that the police launch LOCs against those accused of serious crimes, those involved in financial irregularities, or those who commit offenses against society. The Bench stated that in these situations, the respondent or police may open LOCs against the accused, preventing them from leaving the nation.

***In connection with a case filed against a man under Section 85 of the Bharatiya Nyaya Sanhita (BNS) (husband or relative of a husband subjecting her to cruelty) and the provisions of the Dowry Prohibition Act by his wife, the Court was considering a plea contesting the issuance of a letter of intent against the man.***

The petitioner, who works in Dubai as an electrical technician, said that he was recently arrested while arriving at the airport in Visakhapatnam. Later, after providing a surety, he was freed. However, the Court was informed that because of the outstanding LOC, he is currently unable to leave India.

***The Court observed that the petitioner has been complying with the investigative agency and the trial court and that there is currently no pending warrant or other coercive proceedings against him.***

The Court noted that the LOC was unlawfully issued against him without giving him any prior warning, even though he cooperated with the investigative agency.

***The petitioner claims that he was unable to leave India because of the pending LOC against him, therefore he prolonged his leave by one week. His departure date is February 8, 2026, and he must report for duty on February 9, 2026. The petitioner would lose his Dubai job if he were held under the pretense of LOC. Under such conditions, the petitioner's trip to Dubai for work purposes is imperative. A person's fundamental right to free movement is immediately and permanently violated by Look Out Circular," it continued.***

The Court concluded that if the LOC were permitted to continue operating, the petitioner would incur irreversible losses.

***These elements must be considered in light of Article 21 of the Indian Constitution. The individual's personal freedom would be impacted by opening LOC. The opening of the LOC against the accused will have an impact on his career simply by registering a case for the offense under Section 498-A IPC. The majority of cases involving matrimonial offenses may result in a compromise or take a long time to be heard. Therefore, the respondent/police do not need to open a letter of intent against the petitioner in this case.***

In light of a Ministry of Home Affairs memo stating that LOCs ought to be granted in extraordinary circumstances, the Court invalidated the petitioner's travel ban.

***The petitioner was represented by advocate G Seena Kumar.***