

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cont. Petition No.1462 of 2015

R. Pushpalatha

Petitioner

Vs

Mr. Thangam
Inspector of Police
E-6 Manalurpet Police Station
Manalurpet
Villupuram District

Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for wilfully violating the orders of this Court in CrI.O.P. No.8009 of 2015 dated 30.03.2015.

For petitioner Mr. A. Ilaya Perumal

For respondent Mr. M. Mohamed Riyaz
Govt. Adv. (Criminal Side)

ORDER

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This Court, in CrI.O.P. No.8009 of 2015, on 30.03.2015, passed the following order:

"3. Considering the above submission, this Criminal Original Petition is disposed of, by directing the respondent to file final report on

or before 31.05.2015."

2 This contempt petition is filed alleging that the respondent police has not complied with the aforesaid order passed by this Court.

3 Today, when the matter was taken up for hearing, the respondent herein has filed a status report, wherein, at paragraph no.6, it is stated as under:

"6. I submit that based on the statement of the witnesses and also based on the collection of material evidences, the case was referred as "mistake of fact" by Tr. Puyal Balachandar, Sub Inspector of Police on 08.01.2015 and served the R.C.S. Notice no.1/2015 which was duly acknowledged by the petitioner. Further, the final report (R.C.S. No.01/2015 dated 01.08.2015) was submitted before the Judicial Magistrate Court, Thirukovilur on 26.08.2015."

4 Recording the same, this contempt petition is closed with liberty to the petitioner to approach the Judicial Magistrate, Thirukoilur, within a period of one month from the date of receipt of a copy of this order and file a protest application in Crime No.5 of 2015 and on

such filing, the Judicial Magistrate, Thirukoilur, shall dispose of the same, even if the said Judicial Magistrate has accepted the closure report, in accordance with the law laid down by the Supreme Court in **Vinay Tyagi vs. Irshad Ali, (2013) 5 SCC 762.**

cad

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

To

1.The Judicial Magistrate,
Thirukovilur.

SS/CO/04/07/2016

One CC to A.Ilayaperumal, Advocate, SR.6964/2016

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