

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Contempt Petition No.1735 of 2015

M. Thiagarajan

Petitioner

vs.

Mr. Ponraj
Inspector of Police
S-15 Selayur Police Station
Selayur Village
East Tambaram, Chennai

Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for wilfully disobeying the order dated 06.05.2015 passed in Crl.O.P. No.11789 of 2015 on the file of this Court.

For petitioner Mr. K.S. Vishnu Prasad
for M/s. Achari & Antony Associates

For respondent Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This contempt petition is filed alleging non compliance of the order dated 06.05.2015 passed by this Court in Crl.O.P. No.11789 of 2015.

2 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3 Today, the respondent herein, viz., Mr. Ponraj,
<https://hcservices.ecourts.gov.in/hcservices/>

Inspector of Police, S-15 Selayur Police Station, is present.

4 The petitioner filed CrI.O.P. No.11789 of 2015 for a direction to the respondent police to provide police protection to him based on the FIR in Crime No.112 of 2015 on the file of S-15 Selayur Police Station. The petitioner also filed CrI.O.P. No.11790 of 2015 for a direction to transfer the investigation of the case in Crime No.112 of 2015 from the file of the Inspector of Police, S-15 Selayur Police Station, to any other police station, for proper investigation. Both the petitions came up for hearing before this Court on 06.05.2015 and this Court (*S. Vimala, J.*) passed the following order:

"The learned Additional Public Prosecutor has given an undertaking that he will instruct the aggressor not to harass the petitioner herein.

2. The above said undertaking is recorded."

5 Thereafter, CrI.O.P. Nos.11789 and 11790 of 2015 were taken up for hearing on 11.01.2016 by this Court (*R. Subbiah, J.*) and the same were dismissed holding as under:

"6. Irrespective of the submissions made on either side, I am of the opinion that since the complaint has already been closed and RC report has also been filed before the concerned Judicial Magistrate, now, the prayers sought for by the petitioner in the present petitions cannot be entertained. Hence, these Criminal Original Petitions are dismissed. However, the petitioner is at liberty to file protest petition to the RCS filed by the respondent police, if he is so advised."

6 Now, the petitioner has filed the present contempt petition alleging that the respondent has violated the order dated 06.05.2015 passed by this Court.

7 A reading of the order dated 06.05.2015 passed by this Court reveals that this Court has not issued any positive direction to the respondent and therefore, there is no scope for alleging that the respondent has committed a contumacious act.

In the result, this contempt petition is dismissed.

cad

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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