

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE **T.MATHIVANAN**

Cont.P.No.2488 of 2015

K.Narasimman Petitioner

Vs

1.Tmt.Senthil Kumari IPS.,
Superintendent of Police,
Vellore District,
Vellore.

2.Mr.Parthasarathi,
Inspector of Police,
Ranipet Police Station. Respondents

Prayer:- Contempt Petition filed under Section 11 of the
Contempt of Courts Act, to punish the respondents herein
for their wilful disobedience and non-compliance of the
order passed by this Hon'ble Court made in Crl.
O.P.No.26561 of 2011, dated 10.01.2012.

For Petitioner : Mr.V.Prakash, Senior Counsel
for K.Sudalaikannu

For Respondents : Mr.S.Shunmuga Velayutham,
Public Prosecutor.

ORDER

This petition is filed under Section 11 of the contempt of Courts Act 1971, to punish the respondents for having committed civil contempt of the orders passed by this Court dated 10.01.2012 made in Cr1. O.P.No.26561 of 2011.

2. After issuance of notice, the second respondent had appeared in person before this Court. So far as the first respondent is concerned, she has filed her counter statement stating that at the time of passing the order in Cr1.O.P.No.26561 of 2011, she was not holding the charge as the Superintendent of Police, Vellore District.

3. It is manifested from the records that the petitioner had filed a petition in Cr1.O.P.No.26561 of 2011 under Section 482 of Cr.P.C., seeking for a direction to the respondent Police to register a case based on his complaint dated 29.06.2010. In the said complaint, the petitioner had specifically stated that he had been maintaining a Savings Bank Account bearing No.550728179 with the Indian Bank, Ammoor Branch and also submitted that

the Bank Manager had forged his signature and subsequently withdrawn a sum of Rs.2,93,850/- from his account without his knowledge. Despite his complaint dated 29.06.2010, no action was forthcoming and therefore, he had come forward with the above said petition in CrI.O.P.No.26561 of 2011 under Section 482 of, Cr.P.C.

4. It also revealed that when the matter came up for hearing on 10.01.2012, Mr.C.Emalias, learned Government Advocate(CrI.Side) had submitted that a direction might be issued to the respondent police to register a case as requested by the petitioner.

5. Accordingly, a direction was given but the same was not complied with.

6. This Court has perused the counter affidavit filed by the first respondent and the relevant materials available on record.

7. Mr.S.Shanmuga Velayutham, the learned Public Prosecutor has submitted that pursuant to the direction of this Court, the respondent police have registered a case in

Crime No.212 of 2012 on the file of the Ranipet Police Station under Sections 406, 409 & 506(i) of IPC and after the completion of investigation, a charge sheet was also filed on 09.03.2016 before the learned District Munsif cum Judicial Magistrate, Ranipet and the same was taken on file in C.C.No.14 of 2016. The learned Public Prosecutor has submitted that there may be a direction issued to the Trial Court to dispose of the case within a time limit, which may be fixed by this Court.

8. Mr.V.Prakash, learned counsel appearing for the petitioner has also conceded the above submission.

9. In view of the above, this Court finds that a direction could be issued to the learned District Munsif cum Judicial Magistrate, Ranipet to dispose of the case registered in C.C.No.14 of 2016 within a time limit.

10. In the result, this contempt petition is disposed of with a direction to the learned District Munsif cum Judicial Magistrate, Ranipet to dispose of the case in C.C.No.14 of 2016 within a period of three months from the

date of receipt of a copy of this order, without loss of further time. The fact of the disposal shall be intimated to the Office of the Registry. No costs.

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SD/-
DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (OS)

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JM/CO/05/04/2016

One CC to the Public Prosecutor, SR.3634

One CC to Mr.K.Sudalaikannu, Advocate, SR 3589

To

- सत्यमेव जयते
1. The District Munsif cum Judicial Magistrate,
Ranipet.
 2. Tmt.Senthil Kumari IPS.,
Superintendent of Police,
Vellore District,
Vellore.
 3. Mr.Parthasarathi,
Inspector of Police,
Ranipet Police Station
- WEB COPY