

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Contempt Petition No.731 of 2015

P.Raju

... Petitioner

.Vs.

Kannammal
The Superintendent of Police
Krishnagiri District.

... Respondent

Prayer: This contempt petition is filed under Section 11 of the Contempt of the Courts Act, 1971 praying to punish the respondent for deliberate violation of order of this Court passed in Crl.O.P.No.7852 of 2013 dated 20.06.2013.

For Petitioner : M/s.Karan and Uday

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor

ORDER

This Contempt petition has been filed under Section 11 of the Contempt of the Courts Act, 1971 praying to punish the respondent for deliberate violation of order of this Court passed in Crl.O.P.No.7852 of 2013 dated 20.06.2013.

2. This Court by an order dated 20.06.2013 has directed the first respondent to transfer the case in Crime No.6/2013 from the file of the second respondent (the respondent herein) to any other Inspector of Police who is under his supervision and control and on such transfer, the

concerned Inspector of Police is directed to conduct fair and impartial investigation in accordance with law and file final report as early as possible. As the said order was not complied with, the present contempt petition has been filed.

3. When this matter is taken up for hearing, the learned Additional Public Prosecutor has filed the detailed status report of the respondent, wherein it is stated that as per the direction of this Court, in Crl.O.P.No.7852 of 2013 dated 20.06.2013, the respondent police directed the then Inspector of Police, Hudco Police Station, Krishnagiri District to investigate the case vide proceedings No.C1/13796/2013 dated 17.07.2013,. In pursuant to the same, the then Inspector of Police, Hudco Police Station has examined fourteen witnesses and 164 Cr.P.C. statements of the witnesses viz., Tr.Fiyas, Tr.Krishnan, Tr.Srinivasan and Tr.Mustak Khan were recorded by the learned Judicial Magistrate, Hosur. It is further stated that during the course of investigation, A1 obtained anticipatory bail from this Court in Crl.O.P.No.7466 of 2013, dated 20.03.2014. Due to transfer of the then Inspector of Police, Mr.Thamaraiselvan, the then Inspector of police took up further investigation and examined six witnesses and after completion of investigation, based on the statements of the witnesses, Tr.Tharmaraiselvan, the then Inspector of Police

has laid the charge sheet against A1 to A3 in Hosur Town Police Station in Crime No.06 of 2013 under Sections 294 (b), 506(i), 457, 380 IPC and Section 3(1) of TNPPDL Act 1992 on 08.08.20015 and the same was filed before the learned Judicial Magistrate Court No.II, Hosur and it was taken on file vide P.R.C.No.06 of 2016. Therefore, he submitted that the order of this court dated 20.06.2013 has been complied with and prayed for dismissal of the contempt petition.

4. In view of the submission made by the learned Additional Public Prosecutor, nothing survives for adjudication in this contempt petition and hence the same is dismissed.

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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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26/07/2016

One CC to Government Pleader, SR.10067/2016

To

1. The Superintendent of Police
Krishnagiri District.

2.The Public Prosecutor, High Court, Madras.