

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Contempt Petition Nos.1589 and 1590 of 2016

T.Gowrishankar .. Petitioner in both Contempt Petitions

Vs.

Mr.Rajan Babu,
Inspector of Police,
Arcot Town Police Station,
Arcot, Vellore District.

.. Respondent in both Contempt Petitions

Contempt Petition No.1589 of 2016 filed under Section 11 of the Contempt of Courts Act, to punish the contemnor/respondent for wilful disobedience of the order of this Court, dated 09.12.2015 made in Crl.O.P.No.29129 of 2015 in accordance with law.

Contempt Petition No.1590 of 2016 filed under Section 11 of the Contempt of Courts Act, to punish the contemnor/respondent for wilful disobedience of the order of this Court, dated 09.12.2015 made in Crl.O.P.No.29128 of 2015 in accordance with law.

For Petitioner : Mr.N.S.Sivakumar

For Respondent : Mr.P.Govindarajan, Addl.P.P.

ORDER

These Contempt Petitions have been filed for non-compliance of the order of this Court, dated 09.12.2015 passed in Crl.O.P.Nos.29128 and 29129 of 2015, in which, this Court has passed the following order:

"8. Taking note of the submissions made by

the learned counsel on either side, this Court feels it appropriate to direct the respondent to conduct an enquiry on the petitioner's complaint and in the course of investigation, if any cognizable offence is made out, he is directed to pass appropriate orders in accordance with law, as early as possible. As regards the relief of police protection sought by the petitioner, the respondent police is directed to consider the petitioner's representation dated 18.10.2014 by affording an opportunity of personal hearing to the petitioner and other parties and pass appropriate orders on merits. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

These Criminal Original Petitions are disposed of accordingly"

2. Learned Additional Public Prosecutor appearing for the respondent, on instructions, submitted that a civil suit is pending between the parties in O.S.No.448 of 2013 on the file of the District Munsif Court, Ranipet in respect of the properties in question and in the said suit, interim order was also passed in I.A.No.661 of 2013. Learned Additional Public Prosecutor further submitted that since there is civil dispute between the parties, on completion of detailed enquiry, the complaint was closed and in view of the pendency of the above said suit and also the interim order passed therein, the respondent-Police is not in a position to give Police protection to the petitioner. Learned Additional Public Prosecutor also produced records for perusal of this Court.

3. Considering the above submissions made by the learned Additional Public Prosecutor, I do not find that any contempt is made out in these petitions. Hence, while

recording the above submissions of the learned Additional Public Prosecutor, the Contempt Petitions are closed.

cs

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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CO/28/07/2016

One CC to N.S.Sivakumar, SR.8440/2016 & SR.8439/2016

Copy to

1. Inspector of Police,
Arcot Town Police Station,
Arcot, Vellore District.
2. The Public Prosecutor, High Court, Madras.

सत्यमेव जयते

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