

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

CORAM

THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

Contempt Petition No.1727 of 2016

K.Ravi

... Petitioner

vs.

R.Ravichandran,
The Inspector of Police,
K.V.Puram Police Station,
K.V.Puram, Katpadi Taluk,
Vellore District.

... Respondent

Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for disobeying the order of this Court dated 12.1.2016 made in Crl.O.P.No.658 of 2016.

For Petitioner : Mr.N.Sampath

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

ORDER

This Court, by an order dated 12.1.2016 in Crl.O.P. No.658 of 2016, has passed the following order:-

' 5. In view of the submissions made on either side, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 21.12.2015 in C.S.R.No.530 of 2015 and upon enquiry, if materials are

gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law. If no prima facie case is made out, the respondent is directed to pass an appropriate order on the complaint of the petitioner. So far as police protection is concerned, the petitioner is directed to give fresh representation to the respondent within a period of two weeks from the date of receipt of a copy of this order along with a copy of this order. On receipt of such representation, the respondent is directed to pass an appropriate order with regard to providing of police protection by offering personal hearing to the petitioner as well as other necessary parties."

Now, the petitioner has come up with the present contempt petition alleging that as per the directions of this Court, instead of taking action on the complaint of the petitioner, the respondent referred the matter to RDO, Vellore, under Section 107 Cr.P.C. Further, in the contempt petition, it is alleged that though the petitioner made several representations to provide police protection, the respondent has not considered the same.

². Today, when the matter was taken up for consideration, learned Additional Public Prosecutor, by
<https://hcservices.ecourts.gov.in/hcservices/>

filing a status report, submitted that on the complaint dated 21.12.2015 given by the petitioner, an enquiry was conducted and a case was registered in K.V.Kuppam Police Station Crime No.435 of 2015 under Section 107 Cr.P.C. and the same was submitted to the Revenue Divisional Officer, Vellore, for further investigation. Thereafter, on the fresh complaint given by the petitioner dated 25.3.2016, the respondent gave a police notice dated 25.3.2016 to the petitioner informing him that since the police officials belonging to the respondent police were on special duty for 'Flying Squad' and also for 'Surveillance Team' in connection with the State Assembly Elections to be held on 16.5.2016, the respondent could not provide police protection at present as required by him. Further, the respondent instructed the petitioner to maintain status quo and if there is any need for police protection after the election work, the same will be provided based on the fresh representation by the petitioner. However, thereafter, the petitioner did not give any fresh representation seeking police protection. Thus, the respondent sought for the dismissal of the petition.

3. Keeping the submissions made on either side, I have carefully gone through the entire materials available on record. On a perusal of the status report, it is seen that based on the complaint dated 21.12.2015 given by the petitioner, an enquiry was conducted by the respondent and a case was registered in K.V.Kuppam Police Station Crime

No.435 of 2015 under Section 107 Cr.P.C. and the same was submitted to the Revenue Divisional Officer, Vellore, for further investigation. So far as the police protection is concerned, though the respondent had advised the petitioner to make a fresh representation seeking police protection, it appears, the petitioner did not make any fresh representation. Further, this Court has not given any positive direction to the respondent police to give police protection to the petitioner. Further more, this Court is not conducting any roving enquiry as to whether the petitioner is entitled for police protection or not. Hence, I do not find any disobedience on the part of the respondent. Therefore, I am of the opinion, nothing survives in this contempt petition for adjudication and hence, the contempt petition is closed.

sbi

सत्यमेव जयते

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/24/08/2016

One CC to N.Sampath, Advocate, SR.10028/2016