

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Contempt Petition No.1742 of 2016

N.Venkatesh ... Petitioner

Vs.

Baskar,
The Inspector of Police,
Mecheri Police Station,
Salem District. ... Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for the willful disobedience of the orders of this Court in Cr1.O.P.No.7611 of 2016 dated 11.04.2016.

For Petitioner :Mr.M.Senthil Kumar

For Respondent :Mr.M.Mohamed Riyaz,
Government Advocate (Cr1. Side)

O R D E R

Heard both sides.

2. The petitioner has come forward with this Contempt Petition to punish the respondent for the willful disobedience of the orders of this Court in CrI.O.P.No.7611 of 2016 dated 11.04.2016.

3. The learned counsel for the petitioner would submit that the petitioner has given a complaint to the respondent police on 23.02.2016. Since the respondent police has not registered a case, the petitioner filed CrI.O.P.No.7611 of 2016 before this Court praying for a direction to the 2nd respondent therein (respondent police herein) to register a case on the complaint given by him on 23.02.2016. This Court, by order dated 11.04.2016, in CrI.O.P.No.7611 of 2016, directed the respondent police to expedite the enquiry by following the dictum laid down in Lalitha Kumari Vs. Govt. of U.P. & Others (2013(4) Crimes 243 (SC) and register a case, if any cognizable offence is made out. He would also submit that since the respondent / contemnor has not registered the case so far, after issuance of pre-contempt notice, the petitioner has filed this contempt petition.

4.Today, the contemnor is present before this Court.

5.The learned Government Advocate (crl.side) would

submit that enquiry has been conducted and closed on the

basis of the complaint lodged by the petitioner. The enquiry reveals that the petitioner had borrowed Rs.20,000/- from the counter petitioner to remit the school fees for his child. Thereafter, the petitioner had delayed to repay the said amount. Hence, enmity arose between the petitioner and the counter petitioner. After filing contempt petition, the case has been registered in Crime No.362 of 2016 for an offence under Section 420 of IPC on 09.11.2016 and this petitioner is also added as an accused in the said crime number.

6. The learned Government Advocate (Crl.Side) further submitted that in Paragraph No.9 of the counter affidavit filed by the respondent, he has tendered unconditional apology for not obeying the order of this Court.

7. Recording the submission made by the learned Government Advocate (Crl.Side), this Contempt Petition is closed.

SD/
JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER(O.S.)
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SS/CO/14/12/2016

To

Mr.Baskar,
The Inspector of Police,
Mecheri Police Station,
Salem District.



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