

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.11.2016

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Cont.P.No.2302/2016 in Crl.OP.No.8384/2016

Mr.R.Narayanasamy

... Petitioner

Versus

Sathis
Sub Inspector of Police
Roshanai Police Station
Tindivanam 604001
Villupuram District.

... Respondent

Contempt petition filed under section 11 of the Contempt of Courts Act to punish the respondent for disobeying the order of this Court dated 20.04.2016 passed in Crl.OP.No.8384/2016.

For Petitioner : Mr.R.Ponnusamy
For Respondent : Mr.M.Mohamed Riyaz
Govt. Advocate [Crl.Side]

COMMON ORDER

Heard Mr.R.Ponnusamy, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Government Advocate [Crl.Side] appearing for the respondent.

2 The respondent / contemnor, viz., the Sub Inspector of Police attached to Roshanai Police Station is present before this Court and filed the Counter affidavit dated 26.09.2016.

3 This Court, vide order dated 20.04.2016 made in Crl.OP.No.8384/2016, had directed the respondent therein to

file the final report within a period of three months from the date of receipt of a copy of that order. Since the said order and direction of this Court has not been complied with, the present contempt petition was filed.

4 The respondent / contemnor, who is present before this Court would state that the final report has already been filed in RCS.No.13/2015 on 03.10.2015 and the same has been served on the defacto complainant/petitioner herein. But, the petitioner refused to receive the same and hence, the same was served on him by the respondent / contemnor in person and also was sent by Registered Post Acknowledgment Due on 08.07.2015. The final report was also filed before the jurisdictional Magistrate concerned. The respondent / Contemnor also tendered his unconditional apology.

5 It is seen that this Court, vide order dated 24.10.2016 has called for a report from the learned Judicial Magistrate No.1, Tindivanam, as to whether RCS Notice in No.13/2015 has been served on the defacto complainant or not and as to when the final report was filed. Pursuant to the said direction, the learned Magistrate has sent her report stating that the Final Report was filed on 05.11.2016 and that notice has been ordered to the defacto complainant returnable by 24.11.2016.

6 Since the order and direction of this Court has been complied with, the present contempt petition is closed and the petitioner is entitled to approach the appropriate Forum seeking remedy, if any.

SD/

ASSISTANT REGISTRAR (OS-I)

AP

//Certified to be true copy//

Dated at Madras this the day of 2017.

COURT OFFICER (O.S.)

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GSR/CO/18/12/2017

To

1. Mr. Sathis

Sub Inspector of Police
Roshanai Police Station
Tindivanam 604001
Villupuram District.

2. The Public Prosecutor
High Court, Chennai.

One CC to Mr. R. Ponnusamy, Advocate, SR.14803/16.