

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2016

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

Cont.P.No.2790 of 2016

S.Sandeep

.. Petitioner

Vs.

Rathinavel Pandiyan,
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur,
Chennai 600 118.

.. Respondent

Prayer:- Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for the willful disobedience of the orders passed by this Court in CrI.O.P.No.9180 of 2016 dated 28.04.2016.

For Petitioner : Mr.J.B.Solomon Peter Kamaldos
For Respondent : Mr.M.Mohamed Riyaz
Govt. Advocate (crl.side)

O R D E R

Heard the learned counsel appearing for the petitioner and Mr.Mohamed Riyaz, learned Government Advocate (crl. Side) appearing for the respondent.

2.The petitioner herein has filed CrI.O.P.No.9180 of 2016 under Section 482 Cr.P.C. seeking a direction to the respondent police to register a case on the basis of the

complaint lodged by him dated 07.04.2016. This Court, by order dated 28.04.2016, directed the respondent therein to expedite the enquiry and follow the dictum laid down in ***Lalitha Kumari v. Government of U.P. and others [2013 (4) Crimes 243 (SC)]*** and register a case, if any cognizable offence is made out.

3. According to the petitioner, the respondent/contemnor, who is the respondent therein, has neither conducted any enquiry nor registered a case and that he has willfully disobeyed the order passed by this Court. Hence, the petitioner, after issuing notice, dated 29.06.2016, has filed the present contempt petition.

4. Today, the respondent/contemnor filed counter affidavit, stating that this contemnor has joined duty only on 29.06.2016 and whereas on 11.06.2016, the previous Investigating officer enquired the matter and closed the complaint as "false complaint" and given closure report against this petition to the Commissioner of Police on 11.06.2016. He also tendered his unconditional apology for the delay in implementing the order of this Court dated 28.04.2016.

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

<https://hcservices.ecourts.gov.in/hcservices/>

submit that a copy of the closure report was not sent

earlier, but it was sent only after filing of this contempt petition. Further, even today a copy of the closure report was furnished to the learned counsel for the petitioner.

6. In view of the submission made by the learned Government Advocate (Crl. side) and in view of the unconditional apology made by the contemnor/respondent, this contempt petition stands closed.

SD/
JOINT REGISTRAR(OS)

arr

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SMI/CO/02/12/2016

To

Rathinavel Pandiyan, सत्यमेव जयते
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur,
Chennai 600 118.

WEB COPY

One CC to Mr.J.B.Solomon Peter Kamaldos, Advocate,
SR.15272/2016.