



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CONT.P.(MD) No.556 of 2016

in

CONT.P.(MD) No.170 of 2014

in

CrI.O.P.(MD) No.13027 of 2012

K.P.Mayin Kutty

... Petitioner/Petitioner

vs.

Ragupathy
The Inspector of Police
District Crime Branch
Tirunelveli,
Tirunelveli District

... Contemnor/Respondent

Prayer: Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent / contemnor for his willful disobedience of the order passed by this Court, dated 23.06.2015, in Cont.P.(MD) No.170 of 2014 in CrI.O.P.(MD) No.13027 of 2012.

Prayer in CONT P(MD)No.170 of 2014 : Contempt Petition is filed under Section 11 of Contempt of Court Act, praying to punish the 1st respnodent / contemnor for his willful disobedience of the order passed by the Honourable Court dated 12.10.2012 in CRL OP(MD).No.13027/2012.

Prayer in CRL OP(MD). 13027/ 2012 :
Petition filed under Section 482 of Cr.P.C., to direct the second respondent to file a final report in Crime No.75/2011 on the file of the second respondent within stipulated time fixed by this Honourable Court.

For Petitioner : Mr.S.Gokul Raj
For Respondent : Mrs.S.Prabha
Govt. Advocate (CrI.Side)

O R D E R



alleging willful disobedience of the Order and directions issued by this Court, in Cont.P.(MD) No.170 of 2014 in CrI.O.P.(MD) No.13027 of 2012, dated 23.06.2015.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the investigation, in Crime No.75 of 2011, has been completed and final report has been filed before the Special Court for Land Grabbing Act Cases, Tirunelveli, on 15.09.2015, but the same has not yet been taken on file on the ground that the Apex Court has stayed the trial proceedings before the said Court.

4. It is trite that stay of trial proceedings by the Apex Court cannot be a reason for the Trial Court to take cognizance of the offence and number the final report if it is otherwise in order, because the act of taking cognizance and numbering would not amount to conduct of trial. Hence, the learned Special Judge for Land Grabbing Act Cases, Tirunelveli, is directed to pass appropriate orders on the final report filed by the respondent Police, within a period of two weeks from the date of receipt of a copy of this Order.

5. With the above observations, this contempt petition is closed.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To:

1. The Special Judge for Land Grabbing Act Cases, Tirunelveli
2. Mr.Ragupathy, The Inspector of Police,
District Crime Branch, Tirunelveli, Tirunelveli District.

Krk

CSL/MP/11.05.2016 : 2p/3c

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