

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2017

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CONTEMPT PETITION No.555 of 2017

V.Krishnamoorthy

...

Petitioner

Vs.

The Tahsildar,
Vandavasi Taluk,
Thiruvannamalai District.

...

Respondent

PRAYER : Petition filed under Sections 11 and 12 of contempt of courts Act,1971, to punish the respondents for contempt of Court for willful and deliberate disobedience of the order of this Court dated 20.04.2015 vide Crl.O.P.No.8585 of 2015.

For Petitioner : Mr.R.Ramamoorthy

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

Mr.Murugan, Tahsildar, Vandavasi is present before this Court today.

2. Pursuant to the death of one Revathi, a case in Crime No.98 of 2014 was filed

under Section 174 Cr.P.c.. Mr.V.Krishnamoorthy, the father of the deceased filed Crl.O.P.No.8585 of 2015 for a direction to the respondent police to complete the investigation in connection with Crime No.98 of 2014 and to file a final report.

3. On 20.04.2015, this Court had passed the following order:

“4. Today, the respondent police has filed a counter wherein in paragraph 9 it is stated as follows:

“It is submitted that based on the statement of witnesses, it reveals that the deceased has self immolated by fire and the reason for the deceased's pregnancy was not known by them, hence, on 12.03.2015, the case was referred as “Further Action Dropped” and submitted the final report before the Tahsildar, Vandavasi, Thiruvannamalai District.”

5. In the facts and circumstances, this Court directs the Tahsildar, Vandavasi, Tiruvannamalai District to forward the action drop report along with all the records before the learned Judicial Magistrate, Vandavasi, who shall issue notice to the defacto complainant before accepting the closure report. However, the defacto complainant is at liberty to file protest petition on receipt of such notice. With the above observation, the Criminal Original Petition is closed.”

4. Mr.Krishnamoorthy, the father of the deceased has filed this contempt petition, alleging that the Tahsildar, Vandavasi Taluk had not complied with the order passed by this Court on 20.04.2015.

5. On instructions, the learned Additional Public Prosecutor submitted that the Tahsildar had complied with the order of this Court dated 20.04.2017. He has sent the original closure report to the learned Judicial Magistrate, Vandavasi on 22.07.2017 and in support of the same, the learned Additional Public Prosecutor also produced the said communication dated 22.07.2017 addressed by Tahsildhar Vandavasi to the learned Judicial Magistrate, Vandavasi. However, the learned District Munsif cum Judicial Magistrate had returned the papers to the Tahsildhar, Vandavasi on 25.07.2017, on the ground that it should be re-submitted along with original F.I.R. in Crime No.98 of 2014.

6. Learned Additional Public Prosecutor would further submit that original F.I.R. has been misplaced in the Taluk Office. If that is so, Tahsildhar is directed to re-submit the papers to the learned Judicial Magistrate, Vandavasi with an affidavit to the effect that original F.I.R. is not available in the office, so that learned Judicial Magistrate, Vandavasi would act upon the copy of the F.I.R. that is available in the case diary of police.

7. In view of the same, the Tahsildhar, Vandavasi, is directed to re-submit the papers within a period of one week from the date of receipt of a copy of this order. On re-presentation of the papers, the learned Judicial Magistrate, Vandavasi shall take it on file and pass orders, in accordance with law.

P.N.PRAKASH, J

arr/lbm

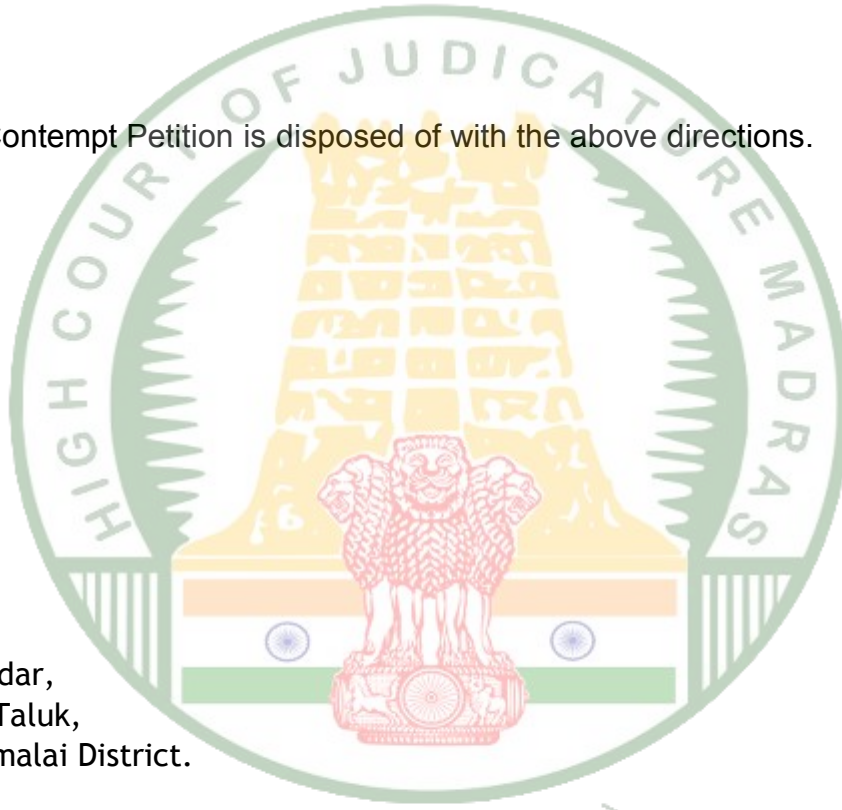
This Contempt Petition is disposed of with the above directions.

03.08.2017

arr/lbm

To

1. The Tahsildar,
Vandavasi Taluk,
Thiruvannamalai District.
2. The Judicial Magistrate,
Vandavasi.



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