

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CONT.P.NO.2812 OF 2016

IN

CRL.O.P.NO.9747 OF 2016

T.Subramanian ... Petitioner

Vs.

Vichithra Marry
The Inspector of Police
District Crime Branch
Nagappattinam District. ... Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent for her willful disobedience of the order passed by this Court in Crl.O.P.No.9747 of 2016 dated 06.06.2016 and punish her accordingly.

For Petitioner : Ms.Greetha Senthilkumar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

On 15.12.2016, this Court passed the following order:

*"Mrs.J. Vichitra Mary, Sub Inspector of Police,
District Crime Branch, Nagapattinam, is present.*

2.Mr.C.Emalias, learned Additional Public Prosecutor, on instructions, submitted that pursuant to the order dated 06.06.2016 in CrI.O.P.No.9747 of 2016, the petitioner had not given any fresh complaint to the respondent police. However, the petitioner had given a complaint to the Superintendent of Police, Nagapattinam on 19.04.2016 which was received by the latter on 22.04.2016 and the same was forwarded to the Anti Land Grabbing Cell, Nagapattinam. Thereafter, the complaint has been transferred by the Anti Land Grabbing Cell, Nagapattinam to the file of the District Crime Branch, Nagapattinam on 20.07.2016. After receipt of the complaint, the Sub Inspector of Police, District Crime Branch had sent four summonses to the petitioner, calling upon him to appear before enquiry. The petitioner received summonses and has failed to appear before enquiry.

3.Under such circumstances, the respondent police is directed to proceed with the enquiry in accordance with law and report to this Court on

2. Today, Ms.J.Vichithra Mary, Sub Inspector

of Police, District Crime Branch, Nagapattinam is
<https://hcservices.ecourts.gov.in/hcservices/>
present.

3. On instructions, Mr.Emalias, learned Additional Public Prosecutor submitted that the Police have completed the enquiry and closed the case on the ground that the petitioner did not cooperate with the enquiry. A copy of the closure report was also sent to the petitioner by post.

4. However, another copy of the closure report is furnished to the learned counsel for the petitioner across the Bar.

5. Learned counsel for the petitioner vehemently contended that the petitioner has not received any summons from the Police and that the Police are trying to protect the Advocates, who are said to be involved in the offence.

6. It is also seen that the petitioner has sent a detailed report to the Police on 20.07.2016, wherein he has admitted that he has received summons from the Police for enquiry. The fact remains that the Police have complied with the order passed by this Court by completing the enquiry. Hence, it is not a fit case to issue statutory notice to the

respondent Police. However, it is left open to the petitioner to file an application / private complaint under before the Jurisdictional Magistrate, if so advised.

7. The Contempt Petition is closed with the above observation and direction.

SD/

JOINT REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

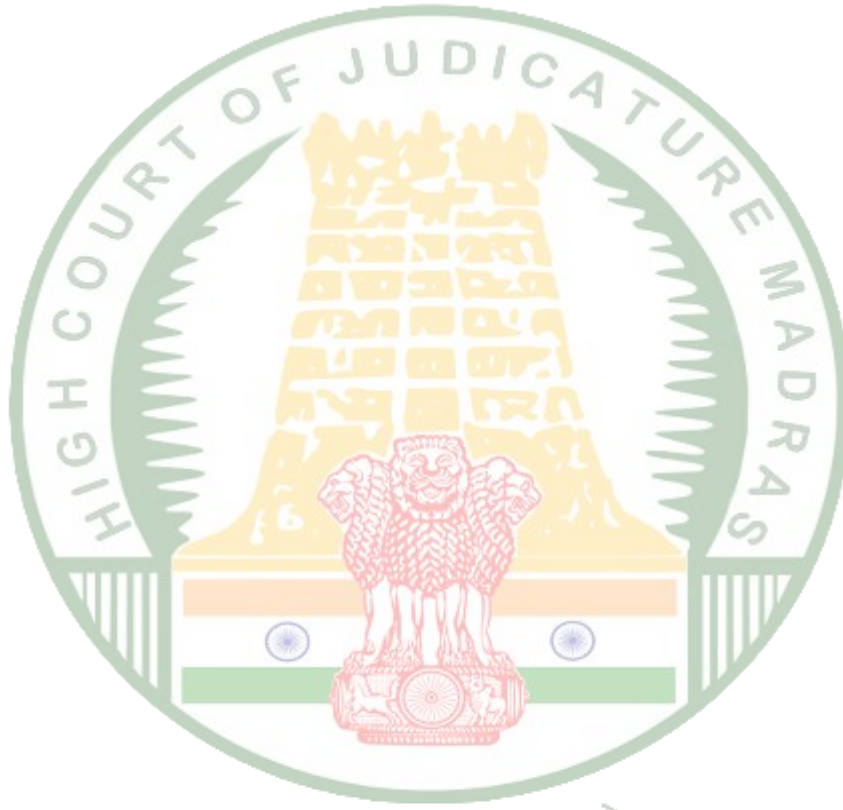
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SM/CO/16/02/2017

To

1.Ms.J.Vichithra Marry
The Inspector of Police
District Crime Branch
Nagappattinam District.

2.The Additional Public Prosecutor
Madras High Court.



सत्यमेव जयते

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