

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA

Contempt Petition No.1538 of 2018
(Suo-motu)

1. Robert,
Head Constable of Singanallur Police Station,
Tiruppur.
2. Munisweeran,
Inspector of Police,
Singanallur Police Station,
Tiruppur.
3. Velan,
Driver of Singanallur Police Station,
Tiruppur. ... Respondents

Suo-motu Contempt proceedings initiated against the
contemnors as per the order made in Roc.No.5299/2018/OS.

For Respondents : Mr.C.Manishankar
Addl. Advocate General
assisted by
Mr.T.N.Rajagopalan
Government Pleader

ORDER

(Made by Ms.Indira Banerjee, Chief Justice)

We have perused the affidavits filed by the contemnor
respondents Mr.R.Robert, Head Constable of Singanallur
Police Station; Mr.Muneeswaran, Inspector of Police,
Singanallur Police Station and Mr.Velan, driver of
Singanallur Police Station.

2. We have also perused the letter written by the Judicial Magistrate, Tiruppur to the Registrar General of this Court through the Chief Judicial Magistrate, Tiruppur.

3. In the aforesaid letter, it is categorically stated that "the police personnel forcefully dragged the surrendered accused G.Santhosh from the Court hall to outside the Court".

4. May be, as contended by the contemnor respondents, the accused Don Santhosh was wanted in several criminal cases including murder cases. The police personnel, however, cannot drag any accused out of the Court hall, disrupting Court proceedings.

5. On consideration of affidavits filed by the contemnor respondents, it appears that it was only the Head Constable Mr.R.Robert, who first entered into the Court room, while the Inspector of Police Mr.Munisweeran and the driver Mr.Velan were waiting outside near the vehicle. The aforesaid persons came only after the commotion.

6. On over all consideration of the affidavits as also an unconditional apology tendered, we deem it appropriate to drop the proceedings against the Inspector of Police Mr. Munisweeran and the driver Mr.Velan, who were waiting near the vehicle outside the Court.

7. The letter of the Judicial Magistrate, Tiruppur referred to above categorically states that the accused G.Santhosh was dragged out of the Court hall. This is not just arbitrary, it is contumacious and the contemnor respondent Mr.R.Robert cannot be let off merely by accepting his apology. We, thus, impose on Head Constable Mr.R.Robert a fine of Rs.500/- (Rupees Five Hundred only). He has also given an undertaking not to repeat such act in any Court in future.

8. The contempt proceedings are disposed of with the above directions. A compliance report shall be furnished to the Registrar General of this Court within 23.7.201

SD/
ASSISTANT REGISTRAR (Comm.Cases)

bbr

//Certified to be true copy//

Dated at Madras this the day of 2018.

सत्यमेव जयते

COURT OFFICER(O.S.)

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KR/CO/23/07/2018

To.

1. The Judicial Magistrate, Tiruppur.
2. The Chief Judicial Magistrate, Tiruppur.
3. The Registrate General, High Court, Madras.