

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 19.12.2018**

CORAM :

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH**

**Cont.P.No.2315 of 2018**

S.Raja

... Petitioner

Vs

Mr.Sivasankaran,  
Sub-Inspector of Police,  
Taluk Police Station,  
Tiruvannamalai District.

... Respondent

Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for having committed willful disobedience of the Hon'ble High Court's order, in Crl.O.P.No.23510 of 2016, dated 24.10.2016.

For Petitioner : Mr.N.E.Athipan Raj

For Respondent : Mr.M.Elumalai  
Government Advocate (Crl. Side)

**O R D E R**

Today, Mr.R.Sivasankaran, Sub Inspector of Police, Tiruvannamalai Taluk Police Station, Tiruvannamalai, is present before this Court.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side), appearing for

3. In Crl.O.P.No.23510 of 2016, this Court has passed the following order on 24.10.2016.

*'3. The respondent-police is directed to complete the investigation and file a Final Report or a closure Report as the case may be, expeditiously, under due intimation to the de facto complainant.'*

This application has been filed, alleging that the police have not complied with the order, dated 24.10.2016.

4. On instructions from the police, the learned Government Advocate (Crl. Side) submitted that the investigation in Crime No.199 of 2016 was completed, as early as on 03.05.2016, but unfortunately, the same was not brought to the notice of this Court on 24.10.2016, when the order in Crl.O.P.No.23510 of 2016 was passed.

5. The learned Government Advocate (Crl. Side) also submitted that the case in Crime No.199 of 2016 has been closed as 'mistake of fact' on 03.05.2016 and the police have filed a closure report before the Judicial Magistrate No.II, Tiruvannamalai, but, the police have not been able to serve the RCS Notice on the *de facto* complainant, as he was not receiving it.

6. Today, a copy of the closure report has been served

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

on Mr.N.E.Athipan Raj (Enrollment No.MS.3247/16), learned

counsel for the petitioner/*de facto* complainant, across the bar.

7. One month time is given to the petitioner/*de facto* complainant, from today, to approach the Judicial Magistrate Court No.II, Tiruvannamalai, for filing protest application, if any.

With the above observations, this Contempt Petition is closed.

SD/-  
ASSISTANT REGISTRAR (COMM.CASES)

MKN

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

from 25<sup>th</sup> day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

PS/10/01/2019

Copy to :

1. The Judicial Magistrate No.II,  
Tiruvannamalai.

2. The Public Prosecutor,  
<https://hcservices.ecourts.gov.in/hcservices/>  
High Court, Madras.