

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20..06..2019

CORAM

The Honourable Mr Justice M.M.SUNDRESH
and
The Honourable Mr Justice M. NIRMAL KUMAR

Contempt Petition No.805 of 2019

R.Vimal Kumar

... **Petitioner**

-Versus-

Mrs.Shobarani,
Inspector of Police,
W-29, All Women Police Station,
Avadi, Chennai 600054.

... **Respondent**

Petition filed under Section 10 r/w 12 of The Contempt of Courts Act, 1971, praying to exercise jurisdiction powers and authority under Section 10 of the Contempt of Courts Act 1971 to take cognizance of this petition to summon and haul up of the above named respondent (Contemnor) and charge her Under Section 2(b) of the Act and try her for her contemptuous acts specified in para of this affidavit of Civil Contempt of order dated 19.02.2019 passed by the Judicial Magistrate-II, Thiruvallur and punish her under Section 12(3) of Contempt of Courts Act 1971.

For Petitioner : Mr.G.S.Vivekanandan

For Respondents : Mr.M.Elumalai
Government Advocate

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ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The Deputy Commissioner of Police, Ambattur District, Chennai, is present today and he filed a status report, as directed by us earlier. The status report filed by him states

"4. I submit that based on the above said order dated 19.02.2019, a case was registered W29, Avadi Women Police Station Cr.No.3 of 2019 dated 20.03.2019 at 16.30 hours under Sections 363 and 366 of IPC, Section 8 r/w 7 of POCSO Act, 2012 and Section 506(ii) of IPC against Rajendran/A1 & Sundar/A2 by Tmt.Geetha, the Sub Inspector of Police and took p the case for investigation.

5. I submit that the Sub Inspector of Police has visited scene of occurrence, drew rough sketch and prepared observation mahazar in the presence of Tmt.Bhuvaneswari & tmt.Megala and recorded their statement, arrested A1 & A2 on 21.03.2019 near Ramar Kovil Bus Stop, Thirunindravur and recorded confession statement in the presence of Tr.L.Kumaresan & Tr.Anandar and recorded their confession statement. Later A1 & A2 remanded to judicial custody.

6. I submit that it was only when the petition came up for hearing before this Hon'ble Court on 29.04.2019. I came to know that the FIR was registered belatedly. Immediately I have conducted enquiry and issued charge memo to the concerned Inspector of Police vide No.PR1/189/8196/WA/2019 dated 28.05.2019 and I have also directed to the said case to be transferred to W30, Poonamallee AWPS on 13.06.2019 for further investigation."

2. In view of the above, we are convinced that no willful

disobedience is involved, particularly, when the FIR has been

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registered and a separate action has already been initiated

against the officer concerned for the belated registration of the FIR. This Contempt Petition is closed accordingly as no further adjudication is necessary. No costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

kmk

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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

Mv/25/07/2019

To

- 1.The Deputy Commissioner of Police, Ambattur District, Chennai.
- 2.The Inspector of Police, W-29, All Women Police Station, Avadi, Chennai 600054.
- 3.The Public Prosecutor, High Court, Madras.

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