

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.07.2019

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CONT.P.No1041/2019

C.Balakrishnan

..

Petitioner

Versus

Mr.Boopathy Rajan
The State of Tamil Nadu
rep.by its The Inspector of Police
Vigilance & Anti Corruption
Salem, Salem District.

..

Respondent

Contempt petition filed under section 11 of the Contempt of Courts Act, 1971, to punish the respondent herein for his act of willful disobedience of the order of this Court dated 17.09.2018 in Crl.OP.No.21320/2018.

For Petitioner : Mr.G.Punniakotti

For Respondent : Mr.K.Prabakar, APP

ORDER

The petitioner, alleging non-compliance of the order passed in Crl.OP.No.21320/2018 dated 17.09.2018, has come forward to file the present contempt petition.

2 The learned counsel for the petitioner would submit that this Court, while disposing of

respondent to complete the investigation in crime No.9/AC/2018 and file the final report as expeditiously as possible. He would further submit that despite the order being passed on 17.09.2018, the respondent has not completed the investigation and filed the final report and thereby, violated the orders of this Court, warranting initiation of contempt proceedings against the respondent herein.

3 *Per contra*, the learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner had given a complaint on 07.04.2017 to [1] the Registrar of Cooperative Societies, [2] the Director of Vigilance and Anti Corruption and [3] the Deputy Superintendent of Police, Vigilance and Anti Corruption, in respect of the misappropriation done in Kathunaickenpattipudur Agricultural Society in respect of grant of loan to Mulberry growers. Based on the complaint, a FIR in Crime No.9/AC/2018 was registered on 23.03.2018 for the offences u/s.13[2] read with 13[1][c][d] of the Prevention of Corruption Act, 1988, read with 109 IPC and 120-B read with 167, 409, 420, 477-A IPC. He would submit that the investigation has to be carried out in respect of 350 loan transactions and the witnesses connected with the processing of loans and granting of loans have to be examined and this Court directed the respondent to complete

the investigation and file the final report as expeditiously as possible. He would further reiterate that only on the submission made by the respondent that several documents have to be looked into, this Court did not fix any outer limit and he would also submit that as on date, the respondent had examined about 33 witnesses and collected documents relating to the loan transactions. The learned Additional Public Prosecutor would submit that the respondent police have been vigilantly conducting the investigation and at no point of time, they had been sluggish. He would also submit that the respondent has not committed any contempt and that, taking into consideration, number of witnesses and the number of documents to be collected by the respondent, he would seek some more time to complete the investigation.

4 Heard both sides.

5 This Court, while disposing of Cr1.OP.No.21320/2018, taking into consideration, the submission of the respondent that there are about 350 loan transactions and that the respondent has to examine all the witnesses connected with the processing of the loans and granting of loans and also taking into consideration that it would take considerable time, had directed the respondent to complete the investigation and file the Final

Report as expeditiously as possible without fixing the outer time limit. In the opinion of the Court, the respondent has not committed any contempt as alleged by the petitioner.

6 Accordingly, the contempt petition stands closed. However, this Court directs the respondent to complete the investigation and file the Final Report within a period of one year from the date of receipt of a copy of this order.

SD/-
ASSISTANT REGISTRAR (COMM. CASES)

ap

//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.

सत्यमेव जयते

Mv/19/07/2019

To

The Inspector of Police
Vigilance & Anti Corruption
Salem, Salem District.

WEB COPY