

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cont.P. No. 1758 of 2019

Gopiraj

.. Petitioner

Vs.

1. Mr.Srinivasan Velusamy,
The Inspector of Police,
S-15, Selaiyur Police Station,
Selaiyur, Tambaram,
Chennai.(Cr. No. 1627/2016)

2. E. Shankar ,
S/o.Elumalai,
No.36, Bajanajkoil Street,
Bharathi Nagar,
Selaiyur,
Chennai 13.

.. Respondents

Prayer: Contempt petition filed under Section 11 of Contempt of Courts Act, praying to punish the Contemnors/Respondents for willfully and deliberately disobedience of the Criminal Original Petition order made in CrI.O.P. No. 28920 of 2018 dated 31.01.2019.

For Petitioner : Mr. M. Anandan
For R1 : Mr. B. Arulmozhimaran
For R2 : Mr. R Udhayakumar

ORDER

This contempt petition has been filed praying to punish the Contemnors/Respondents for willfully and deliberately disobedience of the Criminal Original Petition order made in Crl.O.P. No. 28920 of 2018 dated 31.01.2019.

2. By order dated 31.01.2019 in Crl.O.P. No. 28920 of 2018, this Court while considering the fact that the Second Respondent herein had failed to comply with the condition which is precedent for enlarging the second respondent on Bail imposed vide order dated 24.08.2018 in Crl.O.P. No.3095 of 2017, this Court has granted further period of three months time to the Second Respondent to comply with the order in making payment of remaining amount of Rs.4.5 Lakhs and while granting extension of time, this Court has observed that failing compliance of the order in settling the balance amount, the bail granted by this Court shall stand vacated automatically without any further reference to this Court.

3. Therefore, failure of compliance of the order it would lead only cancellation of bail granted by this Court. Therefore in such circumstances, this Court is of the view that there is nothing survives to proceed against the Respondent in the contempt proceedings. Since a

default clause already added by this Court in case the Second Respondent fails to comply with the order. Therefore, this Contempt Petition itself is misconceived one and it cannot be entertained. Accordingly, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

arb

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

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SMI/20/01/2020

To

The Inspector of Police,
S-15, Selaiyur Police Station,
Selaiyur, Tambaram,
Chennai.

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