



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cont.P. (MD) .No.1119 of 2019
in
Crl OP (MD) No.5081 of 2019

V.Munisamy

..Petitioner/Petitioner

Vs.

Paramasivam,
Inspector of Police,
B-3, Teppakulam Police Station (Crime),
Madurai City, Madurai.

..Respondent/4th Respondent

PRAYER: Contempt Petition is filed under Sections 11 of the Contempt of Courts Act, 1971, to punish the respondent for willful disobedience of the order of this Court in Crl.O.P(MD)No.5081 of 2019, dated 04.04.2019.

PRAYER IN Crl.O.P(MD)No.5081 of 2019:

Criminal Original Petition filed under section 482 of Cr.P.C to direct the respondents 1 and 4 not to harass the petitioner and the petitioner family members.

For Petitioner : Mr.A.Ilaya Perumal

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

O R D E R

This contempt petition has been filed to punish the respondent for disobeying the order passed by this Court in Crl.O.P.(MD)No.5081 of 2019, dated 04.04.2019.

2.The learned counsel for the petitioner submitted that though the petitioner got an order of this Court dated 04.04.2019 in Crl.O.P.(MD)No.5081 of 2019, not to harass him, the respondent herein, without considering the same, harassed the petitioner unnecessarily. Therefore, the petitioner has filed this petition.



3.The learned Additional Public Prosecutor appearing for the respondent police would submit that this Court by order dated 04.04.2019, in Cr1.O.P.(MD)No.5081 of 2019, passed the following order:

"Unless whatever complaint that is pending with the fourth respondent discloses the commission of any cognizable offence, he shall not step in. If however, cognizable offence is disclosed and the fourth respondent is keen to hold any preliminary enquiry / interrogation, the same shall be done on summons under Section 41 Cr.P.C. There shall not be any harassment whatsoever."

4. Pursuant to the order passed by this Court, the respondent conducted an enquiry and closed the same. After getting the order of this Court, the petitioner filed a private complaint before the learned Judicial Magistrate No,I, Madurai and the learned Magistrate directed the respondent to investigate the case according to law under Section 156(3) Cr.P.C and to file a report. As per direction of learned Magistrate, a case has been registered in Crime No.270 of 2019 for the alleged offences punishable under Sections 420, 406 and 506(i) IPC. Therefore, the respondent has complied with the order of this Court and no contempt is made out.

5.In view of the above, there is no willful disobedience of the order passed by this Court. Hence, this contempt petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

Das

TO

Inspector of Police,

B-3, Teppakulam Police Station (Crime),

Madurai City, Madurai.

+1 CC to M/s.A.ILAYA PERUMAL, Advocate (SR-87437[F] dated 18/09/2019)

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in

W.P. (MD) No.5081 of 2019

18.09.2019

KM/ (15.10.2019) 2P 3C