



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CONT.P(MD)NO.336 OF 2018

IN

CRL.O.P(MD)No.13165 of 2017

V.Baskar Rajapaul

...Petitioner/Petitioner

Vs.

Ramakrishnan
S/o.Not known,
Inspector of Police,
Sattankulam Police Station,
Thoothukudi District.

...Contemnor/Respondent

PRAYER :Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying this Court to punish the respondent/Contemnor for disobeying and defying the order passed by this Court in Crl.O.P (MD)No.13165 of 2017, dated 27.09.2017, in accordance with law.

Prayer in CRL OP(MD). 13165/ 2017 :

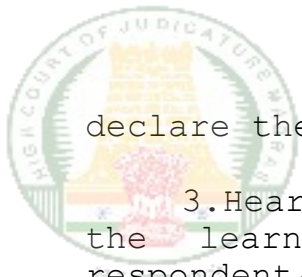
Criminal Original Petition is filed Under Section 482 of Cr.P.C. Praying to issue an direction directing the respondents police to execute pending Non Bailable Warrant issued in STC.NO.403/2011 on the file of the Judicial Magistrate, Sattankulam and to secure the accused.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondent : Mr.S.Chandrasekaran
Addl.Govt.Pleader

ORDER

This Court had directed the execution of Non-Bailable Warrant pending against the accused person in STC.No.403 of 2011. This order was passed on 27.09.2019.The present Contempt Petition has been filed on the ground that this order has not been complied with.

2.A status report was filed before this Court along with all the documents and it is seen that the respondent/Police has taken all efforts to find the where-abouts of the accused person. Since the respondent/Police were not able to trace the accused person, steps have been taken before the Judicial Magistrate, Sattankulam to



declare the accused Dr.S.Mukilan as proclaimed offender.

3.Heard the learned counsel appearing for the Petitioners and the learned Additional Public Prosecutor appearing for the respondent/Police.

4.It is seen that the respondent Police has taken all earnest steps to trace the where-about of the accused person. Since he was not able to be traced, steps have been taken to declare him as proclaimed offender under Section 82 of Criminal Procedure Code.

5.The Court below is directed to consider the Petition filed by the respondent Police to declare the accused person as proclaimed offender and pass necessary orders within a period of four weeks from the date of receipt of a copy of this order. It is open to the Petitioner as well as the respondent/Police to see if any movable or immovable property belonging to the accused person is available, in which case, property can also be attached under Section 83 of the Criminal Procedure Code.

6.This Contempt Petition is closed, by issuing the above directions.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

1.Ramakrishnan

S/o.Not known,
Inspector of Police,
Sattankulam Police Station,
Thoothukudi District.

2.The Additional Public Prosecutor,
Madurai Bench Madras High Court, Madurai.

+1CC TO MR.P.M.VISHUVARTHANAN, Advocate Sr. No. 100945

CONT.P(MD)NO.336 OF 2018
IN CRL.O.P(MD)No.13165 of 2017
22.11.2019

AL(CO)

TR(06.12.2019)2P 4C