

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.323 of 2020

Suresh (M/A 37 years)
S/o.Ramaswamy,
Kumaramangalam Pudur,
Kumaramangalam Post,
Tiruchengode Taluk,
Nammakal District.

... Petitioner

Vs

Radhakrishnan (M/A 47 years)
S/o. Not known,
Inspector of Police,
Ayilpatty Police Station,
Nammakal District.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, to issue Contempt Proceedings against the respondent herein for willfully disobeying the order passed in CrI.OP.No.11618 of 2019 dated 30.04.2019 on the file of this Hon'ble Court.

For Petitioner : T.Muruganantham

For Respondent : S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed to punish the respondent for non compliance of the order passed by this Court in CrI.OP.No.11618 of 2019 dated 30.04.2019.

2. By order, dated 30.04.2019, this Court directed the petitioner to produce the original registration certificates of the vehicles bearing Registration Nos.KA-01-AD-7774 and KA-21-5386 before the respondent within the period of two weeks and on receipt of the same, the respondent herein is directed to conduct enquiry and hand over the vehicles.

3.The learned counsel appearing for the petitioner would submit that the respondent did not follow the procedure laid down in Cr.P.C. Even, according to the respondent, the vehicles were involved in the Crime have been seized from the custody of the petitioner. The respondent without even producing those seized vehicles before the Judicial Court concerned, simply retained the vehicles in their custody. Further, they also refused to return the same to the custody of the petitioner herein.

4.Per Contra, the learned Additional Public Prosecutor would submit that as directed by this Court, the petitioner produced registration certificates of the vehicles bearing Registration Nos.KA-01-AD-7774 and KA-21-5386 before the respondent herein. On verification of the same, both the registration certifications produced by the petitioner are false and fake one.

Thereafter, the registration certificates were handed over to the Regional Transport Officer, Rasipuram for verification. In fact, both the vehicles were handed over to the original owner of the vehicles. Therefore, there is absolutely no contempt is made out as against the respondent.

5.Considering the above submission made by the learned Additional Public Prosecutor and in view of the fact that pursuant to the direction of this Court, the respondent conducted enquiry and on production of the registration certificates by the petitioner, it was found that the RC books are false and fake one and also both the registration certificates were referred to the Regional Transport Officer, Rasipuram and Namakkal for verification and on verification also, it came to light that they were fake. Further, the vehicles were also handed over to the original owners of the vehicle. Therefore, this petition is devoid of merits and the same is dismissed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gbi

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/22.09.2020

To

1. The Inspector of Police,
Ayilpatty Police Station,
Nammakal District.
2. The Public Prosecutor,
High Court, Madras.



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