

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Contempt Petition No.337 of 2019

R.Sakthivel

... Petitioner

-vs-

Mr.Chithambara Murugesan
State rep. by
Inspector of Police,
Thiruvottiyur Police Station,
Thiruvottiyur,
Chennai.

... Respondent

Prayer: This Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent herein under the provision of the Contempt of Court's Act for wilful disobedience of the Judgment or orders of this Court 12.01.2018 in CrI.O.P.No.93 of 2018 filed by the petitioner herein.

For Petitioner :: Mr.R.Bharadwajarama Subramaniam
For Respondent :: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This contempt petition has been filed to punish the respondent for disobedience of the order of this Court passed in CrI.O.P.No.93 of 2018 dated 12.01.2018.

2. The petitioner herein being the defacto complainant, has filed Criminal Original Petition in CrI.OP.No.93 of 2018 to direct the respondent to complete the investigation in Cr.No. 1394 of 2017 and file a final report as expeditiously as possible. This Court by the order dated 12.01.2018 has directed the respondent to complete the investigation and file a final report as expeditiously as possible. Even though the said order was passed by this Court on 12.01.2018, the respondent has not filed the final Report till 29.01.2019 and hence the petitioner has filed the present petition to punish the respondent for disobedience of this Court's order.

3. The respondent has filed a counter stating that after investigation, the matter was referred as 'mistake of fact' and to that fact a referred charge sheet was also filed before the learned Judicial Magistrate Court, Thiruvottiyur, on 30.08.2019. He also stated that before filing the said referred charge sheet, he has sent a RCS notice to the petitioner on 29.08.2019.

4. The learned counsel for the petitioner has submitted that after receipt of the said RCS notice, the petitioner has filed a protest petition before the concerned Magistrate and based on the said protest petition, the learned Judicial Magistrate has taken the case on file and hence he requests to pass appropriate

order.

5. Considering the aforesaid submissions, this petition is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

jrs

//Certified to be true copy//

Dated at Madras this the day of 2020.

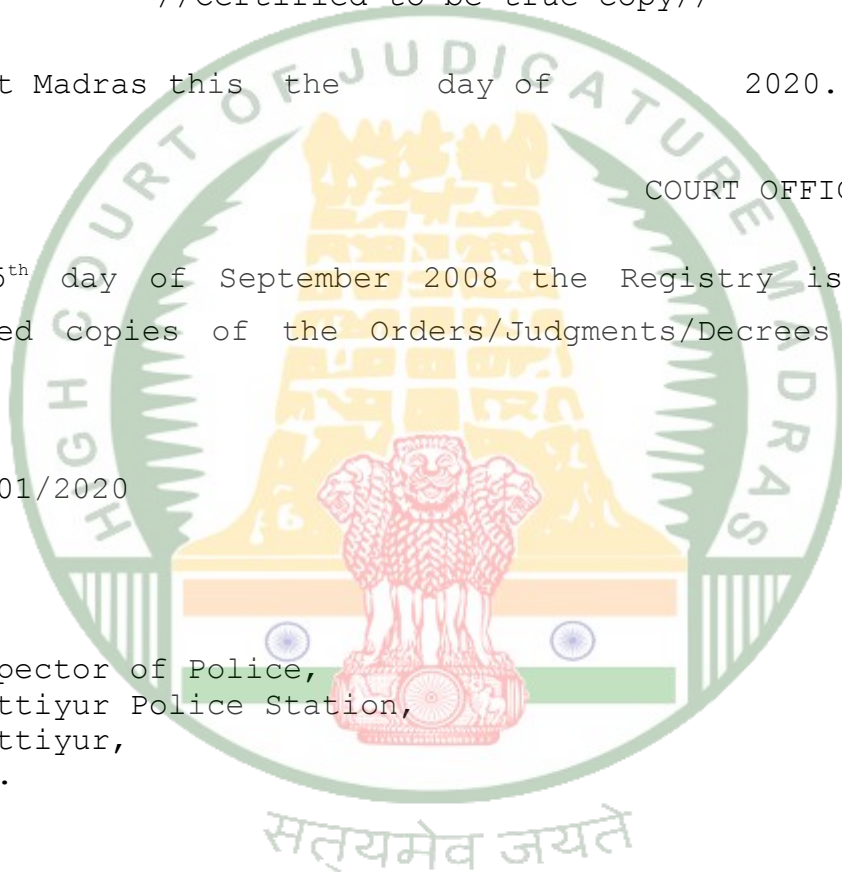
COURT OFFICER (O.S.)

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SMI/30/01/2020

To

The Inspector of Police,
Thiruvottiyur Police Station,
Thiruvottiyur,
Chennai.



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