

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.11.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Contempt Petition No.621 of 2016

Yuvaraj

... Petitioner

Vs.

T.Santhalingam
Inspector of Police
Jolarpet Police Station
formerly Vellore District
presently Tirupathur District

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for the willful disobedience of the order of this Hon'ble Court made in Crl.O.P.No.1653 of 2013 dated 02.08.2013

For Petitioner : Mr.M.Machavatharan

For Respondent : Mrs.P.Kritika Kamal
Govt. Advocate (Crl. Side)

ORDER

This Contempt Petition has been filed alleging that the order of this

Court dated 02.08.2013 passed in Crl.O.P.No.1653 of 2013 has not been

complied with.

2. On 02.08.2013, this Court passed Common Orders in Criminal Original Petitions (187 Nos.), including the case in Crl.O.P.No.1653 of 2013, which reads as follows :

“2. All these Criminal Original Petitions have been filed to direct the Station House Officers concerned to register on the complaints given by the petitioners and to prosecute the accused in accordance with law.

3. Considering the limited nature of the relief sought for herein, this Court directs the Station House Officers concerned, to hold appropriate enquiry, if no further action is so far taken, on the petitioners' complaints and to register the cases, if the allegations made therein disclose commission of any cognizable offence, investigate the same and file final report or to dispose of the same in accordance with law as expeditiously as possible. In the event of the failure of the Station House Officers to exercise the statutory duty cast upon them, it is always open to the petitioners to invoke Sections 154(3) Cr.P.C. or 156(3) Cr.P.C. or workout their further remedy, in accordance with law.

4. With the above direction, all these Criminal Original Petitions are disposed of.”

3. While so, the petitioner in CrI.O.P.No.1653 of 2013 has filed the present Contempt Petition alleging that the police have not complied with the order dated 02.08.2013.

4. Heard Mr.M.Machavatharan, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (CrI. Side) appearing for the respondent.

5. Mrs.P.Kritika Kamal submitted that the police do not have any record of either the complaint that was allegedly given by the petitioner in CrI.O.P.No.1653 of 2013 or the copy of the order passed by this Court on 02.08.2013. She further submitted that Jolarpet now comes within Tirupathur District on account of bifurcation.

6. The stand taken by the learned Government Advocate (CrI. Side) that the police do not have either the complaint given by the petitioner or the copy of the order alleging non compliance of which this Contempt Petition is filed, is quite understandable, especially, when common orders are passed in batch cases. Therefore, this Court gives liberty to the petitioner to submit a

District and the same shall be dealt with in accordance with law.

With the above observation and direction, this Contempt Petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

gya

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

SMI/30/12/2020

To

1. The Inspector of Police
Jolarpet Police Station
formerly Vellore District
presently Tirupathur District

2. The Government Advocate (Crl. Side),
High Court Campus, Madras.