

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED:03.03.2020****CORAM:****THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN****CONTEMPT PETITION No.1179 of 2017**

M.Sathish

... Petitioner

Vs

1.Ms.Nazeema,
Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai - 600 045.

2.Ms.V.Rekha

(2nd respondent impleaded pursuant to the order
dated 12.04.2019 of this Court made in Sub Appln.No.181/2019
in Cont.Pn.1179 of 2017).

... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnor according to law for deliberately disobeying the order of this Court passed in CrI.O.P.No.7806 of 2017, dated 20.04.2017.

For Petitioners :Mr.Jothiraman

For Respondent :Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1
Mr.G.Sumithra for R2

ORDER

This Contempt petition has been filed to to punish the contemnor according to law for deliberately disobeying the order of this Court passed in CrI.O.P.No.7806 of 2017, dated 20.04.2017.

2. The learned counsel appearing for the petitioner submitted that before this Court, the petitioner has filed a petition not to harass the petitioner, in which, this Court recorded the statement of the learned Government Advocate that the presence of the petitioner is no longer required and if the presence of petitioner is required, the respondent will issue summons to him.

3. Recording the submission of the learned Additional Prosecutor, this petition was closed. Against on 10.05 2017 there was a call from the wife of petitioner through 100 phone call. On receipt of the call, the respondent/police went to the petitioner's wife house and at about 22:28:44 hours a call was received from 09789067182, therefore, the respondent police made an enquiry. Thereafter, the second respondent lodged a complaint on 17.05.2019, as against the petitioner/husband, for which she was issued a CSR.No.682 of 2017 and also a preliminary enquiry was conducted.

4. It is also seen that the petitioner filed a divorce petition before the Family Court, which is pending and therefore, there is a dispute between the

petitioner and his wife.

5. Considering the above facts and circumstances of the case, no contempt is made as against the respondent and absolutely there is no wilful disobedience of the orders passed by this Court.

6. Accordingly, this contempt petition is dismissed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/26.05.2020

To

1.The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai - 600 045.

2. The Public Prosecutor,
High Court,
Madras.