



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.03.2021

CORAM :

WEB COPY THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Contempt Petition No.1561 of 2015

Ramajayam,
S/o.Ramanujam,
Mela Street,
Devanur Village and Post,
Udaiyarpalayam Taluk,
Ariyalur District

...Petitioner/Petitioner

Vs.

Mr.Gunasekaran,
Inspector of Police,
Jeyankondam Police Station,
Ariyalur District.

...Respondent/2nd Respondent

PRAYER: Contempt petition is filed under Section 11 of the Contempt of Courts Act, seeking to punish the respondent for his willful, intentional and flagrant violation of the order passed by this Hon'ble Court dated 29.01.2015 made in Crl.O.P.No.240 of 2015.

For Petitioners : Mr.C.Prabakaran

For Respondent : Mr.C.Iyyappa Raj,
Additional Public Prosecutor

ORDER

This Contempt Petition has been filed to punish the respondent for his wilful, intentional and flagrant violation of the order passed by this Court in Crl.O.P.No.240 of 2015 by order dated 29.01.2015.

2. The case of the petitioner is that he had filed a petition in Crl.O.P.No.240 of 2015 seeking for a direction directing the second respondent namely the Inspector of Police, Jeyankondam Police Station to register F.I.R. based on the petitioner's complaint dated 16.12.2014 and this Court by order dated 29.01.2015, taking into consideration the nature of



allegation made in the complaint and also the the wound certificate, had directed the Contemnor/respondent to register the case based on the complaint given by the petitioner dated 16.12.2014 and to investigate the same in accordance with law. The order of this Court dated 29.01.2015 was communicated to the Contemnor/respondent and despite the receipt of the order, the contemnor/respondent did not take any action. Thereafter, pre-contempt notice was issued on 13.03.2015. Even despite the receipt of the notice, the respondent had not registered the complaint thereby warranting the petitioner to file this Contempt Petition.

3. The Contemnor/respondent is present before this court.

4.The learned Additional Public Prosecutor would submit that this Court by ordered dated 29.01.2015 had directed the Contemnor/respondent to register the case based on the complaint of the petitioner dated 16.12.2014. Thereafter, pre-contempt notice was received on 17.03.2015. Whereas, even prior to the receipt of the pre-contempt notice, in due compliance of the direction of this Court, the contemnor/respondent had registered the case in Crime No.112 of 2015 for offence under Sections 342, 294(b) and 323 IPC on 16.03.2015 itself. Thereafter, investigation was conducted and the case was later referred as mistake of fact and it was duly intimated to the petitioner/defato complainant. He would further submit that the respondent has not committed any contempt as alleged and he has duly complied with the orders of this Court.

5. The learned Counsel for the petitioner/defacto complainant would submit that since, the petitioner/defacto complaint was not put up on notice with regard to registration of the case on 16.03.2015, the petitioner has filed the contempt petition.



6. It is seen that the respondent had already registered the case on 16.03.2015 itself even prior to the receipt of the pre-contempt notice and thereby, the directions of this Court dated 29.01.2015 has been complied with. The respondent has not committed any contempt.

7. In view of the above, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

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//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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To

The Inspector of Police,

Jeyankondam Police Station,

Ariyalur District.