

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.348 of 2020
in CrI.MP.No.4956 of 2019 in
CrI.OP.No.9417 of 2019

Nagaraj

..Petitioner/Petitioner

Vs.

1.A.Ravi,
The Inspector of Police,
Selvapuram PS,
Coimbatore

2.Sundari,
Block Development Officer,
SST Team-1,
119 Thondamuthur Constituency

..Respondents/1st & 2nd Respondents

PRAYER:

Contempt filed under Section 11 of the Contempt of Courts Act to punish the respondents for the willful disobedience of the order of this Court passed in CrI.MP.No.4956 of 2019 in CrI.OP.No.9417 of 2019 dated 08.04.2019 under the provisions of Contempt of Court Act.

For Petitioner : Mr.D.Selvam

For Respondents : Mr.L.Charles Premkumar,
Government Advocate(CrI.side)

ORDER

This petition has been filed to punish the respondents for the willful disobedience of the order of this Court passed in CrI.MP.No.4956 of 2019 in CrI.OP.No.9417 of 2019 dated 08.04.2019.

2.The learned counsel for the petitioner submitted that the petitioner is an accused in Cr.No.238 of 2019 registered for the offences under Sections 294(b) and 353 of IPC and Section 4 of Prohibition of Women Harassment Act, 2002. The petitioner challenged the FIR before this Court to quash the same in CrI.OP.No.9417 of 2019. Considering the submission as well as the allegations levelled as against the petitioner, this Court granted stay of all the further proceedings of the FIR registered in Cr.No.238 of 2019 pending on the file of the first respondent.

3. It is seen that though this Court marked copy to the first respondent, either the petitioner or the learned Public Prosecutor failed to communicate the interim order passed by this Court to the first respondent herein. Therefore, the first respondent proceeded with the investigation and enquired 7 witnesses and filed charge sheet on 24.06.2019 for the offence punishable under Sections 294(b), 353 of IPC and Section 4 of Prohibition of Women Harassment Act before the learned Judicial Magistrate No.V, Coimbatore. On receipt of the same, the learned Judicial Magistrate No.5, Coimbatore had taken cognizance in CC.No.1291 of 2019 and it is pending for trial.

4. Therefore, it is clear that either the petitioner or the Public Prosecutor did not communicate any interim order passed by this Court. Therefore, the first respondent did not notice the interim order passed by this Court. Further, now charge sheet has been laid and the same has been taken cognizance and it is pending for trial.

5. Considering the same, no contempt is made out as against the respondents. Therefore, the contempt petition is dismissed. However, the petitioner is at liberty to challenge the final report in the manner known to law.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

lok

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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To

1. The Inspector of Police,
Selvapuram PS,
Coimbatore.
2. The Block Development Officer,
SST Team-1,
119 Thondamuthur Constituency
3. The Public Prosecutor,
High Court of Madras



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