



Cont.P.No.1886 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.04.2021

CORAM

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

Cont.P.No.1886 of 2013

Mr.Jayashankar,
No.3, Subramani Mudali Street,
Saidapet, Chennai - 15

... Petitioner

Vs.

1. Mr.Pannerselvam,
Deputy Superintendent of Police,
Anti Land Grabbing Wing,
Tiruvallur, Tiruvallur District

2. M.Surendar Kumar,
Inspector of Police,
Anti Land Grabbing Wing,
Tiruvallur, Tiruvallur District

... Respondents

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish all the respondents for their wilful and deliberate disobedience, disregard and disrespect of the Order dated 28.09.2011 and made in Crl.O.P.No.22070 of 2011.

For Petitioners : Mr.A.N.Rajan

For Respondent : Mrs.Kritika Kamal
Government Advocate for R1



ORDER

(This case has been heard through video conference)

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This Contempt Petition has been filed to punish all the respondents for their wilful and deliberate disobedience, disregard and disrespect of the Order dated 28.09.2011 and made in CrI.O.P.No.22070 of 2011.

2. The case of the prosecution is that the petitioner has purchased the property by way of sale deed on 14.11.2008 from one Perumal who is the Power of Attorney of one Gonda Reddy. Thereafter, he sold the said plot to one Raja Prabhu. The said Raja Prabhu came to know that the above said land belongs to Forest Department. Raja Prabhu has given a complaint before the Deputy Superintendent of Police, Anti Land Grabbing Wing, Tiruvallur and the same assigned in CSR.No.88 of 2011 dated 11.08.2011 and thereafter, the petitioner filed Anticipatory Bail before this Court in CrI.OP.No.22070 of 2011. The said Anticipatory Bail was granted by this Court dated 28.09.2011. Thereafter, one Sampath Kumar lodged a complaint for the very same transaction. The respondent police arrested the petitioner and sent him to judicial custody. Hence, the present contempt petition is filed.

3. The learned counsel for the petitioner submits that earlier transaction and the subsequent transaction are one and the same. The Anticipatory bail was granted against the complaint made by Raja Prabhu. The



said Sampath Kumar who is the purchaser of the plot filed a complaint for the very same transaction, therefore, it is a clear contempt case.

4. The learned Government Advocate (Crl. Side) submits that Raja Prabu's complaint in CSR.No.88 of 2011 was closed on 11.08.2011 by the Deputy Superintendent of Police, Anti Land Grabbing Wing, Tiruvallur and subsequently the Sampath Kumar made a complaint before the Superintendent of Police, Anti Land Grabbing Special Cell (DCB) Tiruvallur District on 21.11.2012 and the same was registered in Cr.No.33 of 2012 under Sections 465, 468, 420, 120(B), 294 (b), 506 (i) of IPC. Based on the said complaint, the petitioner was arrested and remanded to judicial custody and no action was taken on the earlier complaint.

5. Considering the facts and circumstances of the case, this Court is not inclined to allow the petition.

In the result, this Contempt Petition is dismissed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

dh

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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To

1. The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell (DCB)
Tiruvallur District
2. The Inspector of Police,
Anti Land Grabbing Wing,
Tiruvallur.