



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2021

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WEB COPY

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Contempt Petition No.3244 of 2014

T.Ramadoss

S/o.Thanikkodi

...Petitioner

Vs.

Mr.Appasamy

Deputy Superintendent of Police

Thiruthuraipundi

Thiruvarur District

...Respondent

**Prayer:** Contempt petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondent for his willful and intentional failure to comply with the order of this Hon'ble Court dated 19.12.2013 made in CrI.O.P.no.30346 of 2013.

For Petitioner : Mr.S.Arivazhagan

For Respondent : Ms.V.Sharadha Devi

Government Advocate (CrI. Side)

### **ORDER**

**(The case has been heard through video conference)**

The Contempt petition has been filed to punish the respondent for willful and intentional failure to comply with the order of this court dated 19.12.2013 made in CrI.O.P.No. 30346 of 2013.

2. The CrI.O.P.No.30346 of 2013 had been filed, seeking to quash the F.I.R in Crime No.21 of 2007 on the file of the first respondent and this

Court while dismissing the quash petition on 19.12.2013, taking into



consideration that the F.I.R was pending from the year 2007, for six long years, had directed the Jurisdictional Deputy Superintendent of Police to complete the investigation of the case within a period of three months from the date of receipt of a copy of the order. Since the order has not been complied with, the petitioner has come up with this petition seeking to punish the respondent.

3. The respondent has filed a status report in which, it is stated that when the documents were perused, it came to light that one Thiru.Kannadasan, the then Deputy Superintendent of Police, during the year 2016 itself had conducted the investigation and completed the same and on finding that there were no materials, had dropped further action and had served the RCS Notice on the defacto complainant in R.C.S.No.30 of 2016.

4. Mr.S.Palanisamy, the Deputy Superintendent of Police, Thiruthuraipoondi Sub Division, Thiruvarur District, is present before this Court through Video Conferencing. He would submit that the case in Crime No.21 of 2007 was registered on the complaint of one Kulasekaran, Branch Manager, State Bank of India, Thiruthuraipoondi Branch, against the accused for offence under Sections 465, 467, 468, 471 and 420 IPC for having obtained loan from the bank by producing fabricated documents and since the bank officials did not produce the relevant documents to prove the case, the case was closed as further action dropped and the R.C.S. Notice



was also served on the complainant and that the final report was filed before the Court. However, since, the C.D. File and the other related documents were found missing, the respondent were unable to give proper instructions before this Court during last occasion. However, on verification it is found that the final report has been filed as early as on 04.02.2016. He would further submit that since, there were various task of examining several witnesses and documents, there had been some delay in complying with the order of this Court and that the delay is neither intentional nor wanton. However, the respondent would seek unconditional apology and that they may be purged of the contempt proceeding.

5. The learned Government Advocate (Crl. Side) would submit that the order of this Court has been complied with however with some delay since, the respondent had to collect documents from various offices. She would submit that the respondent had no intention of disobeying the order and that the delay is neither willful nor wanton. Hence, she would pray that the respondent may be purged of the contempt proceedings.

6. Heard the Counsels and perused the materials on record including the status report.



7. This Court is convinced with the explanations given by the respondent. Since, the order of this Court has already been complied with, the petition stands 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.)  
from 25<sup>th</sup> day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

To

1. The Deputy Superintendent of Police  
Thiruthuraipundi  
Thiruvarur District

2.The Public Prosecutor  
High Court of Madras  
Chennai 600 104.