



Cont.P.No.1088 of 2022

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T.V.THAMILSELVI, J.

When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has filed this Contempt petition to punish the respondent for the violation and disobedience of the order passed by this Court in CrI.O.P Nos.6113 & 6197 of 2019 dated 02.12.2021. On 27.07.2022, the learned Government Advocate (crI. Side) submitted that the respondent police filed the final report before the Trial Court on 26.07.2022, considering the same this Court closed the contempt petition stating that the order of this Court has been complied with. But, the respondent police removed four accused persons in charge sheet without giving RCS notice to the petitioner. After closing the contempt petition the petitioner has received RCS notice and also wrongly mentioned that the petitioner has already obtained anticipatory bail. For the above said reasons the learned XVIII Metropolitan Magistrate, Saidapet, chennai, returned the charge sheet. Hence this Contempt petition has been reopened.

2. The learned Government Advocate (CrI. Side) submitted that there are five accused involved in this case, A1 alone received payment. Second and

Third accused were not available at the scene of occurrence. A4 is the wife of



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A1, now A1 and A4 are not live together. A5 was worked under A1 who is no way connected with this case. Hence their name was deleted from the charge sheet. If the petitioner is not satisfied with removal of the accused persons' name, he can file a protest petition before the Trial Court.

3. On seeing the fact, the FIR has been registered in the year 2018 for the alleged offence punishable under Section 420 of IPC against the accused persons/A1 to A5. But in the final report except first accused, the name of the remaining accused person's name were deleted by the respondent police by stating that A1 alone received amount from the petitioner through RTGS. Now, the charge has not been taken on file, SR number only assigned. Further the Trial judge returned the said charge sheet due to defects and the respondent also sought time to correct the defect in the charge sheet.

4. Considering the above, the respondent police is directed to file corrected charge sheet in connection with crime No. 591 of 2018 before the Trial Court within a period of Two weeks from the date of receipt of copy of this order. After receiving the charge sheet, the Trial Court shall take the charge sheet on file within a period of one weeks and also complete the Trial as expeditiously as possible.



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5. Accordingly, this Contempt petition is disposed of.

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