



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.03.2022

Coram::

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Contempt Petition No.1376 of 2021

M.Sakthi,
S/o.Marimuthu,
No.1/613, Konmpatti Village,
Vagurappampatti Post,
Karimangalam Taluk,
Dharmapuri District.

... Petitioner/ Petitioner

/versus/

Mr.Manoharan
Inspector of Police,
Kambainallur Police Station,
Dharmapuri District.

... Respondent/Respondent

Prayer: This Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent herein for his act of wilful disobedience of the order of this Hon'ble Court dated 18.12.2019 in Crl.O.P.No.33965 of 2019.

For Petitioner : No appearance

For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)



WEB COPY

ORDER

The Learned Government Advocate (Crl.Side) for the respondent states that investigation in this case was completed and final report filed on 30.11.2019.

2. The Learned Government Advocate (Crl.Side) for the respondent has filed counter wherein it is now stated that, after recording of statement, the complaint was closed as “mistake of fact” and R.C.S notice No.14 of 2019 was affixed on the doors of the complainant's house on 13.12.2019. Final report was filed before the Judicial Magistrate, Harur, Dharmapuri District and same was taken on file on 24.03.2022. In view of the fact that, final report already filed and R.C.S notice issued to the petitioner herein, this Court finds that nothing survives to initiate contempt proceedings.

3. From the affidavit filed by the contempt petitioner, it appears that the R.C.S issued was not received by him and furthermore, it appears that, when the order of this Court passed on 19.02.2019 directing the respondent to complete the investigation and file final report within a period of three months. The closure report has been affixed on the doors of the petitioner's house. Therefore, if the



petitioner is aggrieved by the closure report, it is open for him to file protest petition and proceed further. If such protest petition is filed, it shall not be any defence of latches since the factum of closure report is brought to the notice only by way of a counter filed the petitioner in this case.

4. Recording the same, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

bsm

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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To,

1. The Inspector of Police, Kambainallur Police Station, Dharmapuri District.
2. The Section Officer, V.R.Section, High Court, Madras.
3. The Government Advocate(Crl.Side)High Court,Madras.