



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.1611 of 2021

Hema Jwaalini
Director,
Willows Spa Private Limited,
No.88, Karpagam Avenue,
Raja Annamalaipuram,
Chennai – 600 028

Petitioner

VS.

1.Mr.Shankar Jiwal, IPS.,
Commissioner of Police,
Chennai City Police Commissionerate,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai – 600 007.

2.Mrs.Sharmu
Assistant Commissioner of Police,
Anti Vice Squad,
Chennai City Police Commissionerate,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery,
Chennai – 600 007.

3.Mr.Suresh,
Inspector of Police,
G3 Kilpauk Police Station,
No.132, EVR Salai,
Kilpauk,
Chennai – 600 010.



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4. Mr. Selvakumar,
Inspector of Police,
V-7, Nolambur Police Station,
1st Avenue, Mogappair West,
Chennai – 600 037.
5. Mr. Nedumaran,
Inspector of Police,
E-5, Foreshore Estate Police Station,
Block-A, Foreshore Estate,
Chennai – 600 004.
6. Mr. Murugesan,
Inspector of Police,
J-1, Saidapet Police Station,
No.49/1, Anna Salai, West Saidapet,
Chennai – 600 015.
7. Mrs. Bharani,
Inspector of Police,
K-4, Anna Nagar Police Station,
6th Avenue, Anna Nagar East,
Chennai – 600 040.
8. Mr. Setu,
Inspector of Police,
F-3, Nungambakkam Police Station,
Valluvarkottam High Road,
Nungambakkam, Chennai – 600 034.
9. Mr. Pugazhendhi,
Inspector of Police,
G-7, Chetpet Police Station,
No.14, M.C. Nicholas Road,
MS Colony, Chetpet, Chennai – 600 031.
10. Mr. Abraham Cruz Durairaj,
Inspector of Police,



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R-9, Valasarvakkam Police Station,
Chodry Nagar Main Road, Valasaravakkam,
Chennai – 600 087.

11. Mr. Magesh Kumar,
Inspector of Police,
J-8, Neelankarai Police Station,
No. 221, SH 49, Saraswathi Nagar,
Neelankarai,
Chennai – 600 115.
12. Mr. E. Velu,
Inspector of Police,
J-12, Kaanathur Police Station,
ECR Road,
Muttukadau,
Chennai – 603 112.
13. Mr. Meenatchi Sundaram,
Inspector of Police,
J-2, Adayar Police Station,
Dr. Muthulakshmi Road, Indira Nagar,
Adayar, Chennai – 600 020.
14. Mr. Ramasundaram,
Inspector of Police,
J-6, Thiruvannamiyur Police Station,
Sannadhi Street, Lalitha Nagar,
Thiruvannamiyur,
Chennai – 600 041.
15. Mr. Suresh Kumar,
Inspector of Police,
R-1, Mambalam Police Station,
No. 1, Madley Road, T. Nagar,
Chennai – 600 017.

Respondents



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PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents herein for their willful and deliberate disobedience of the order passed by this Court on 15.03.2021 in W.P.No.3693 of 2021.

For Petitioner : Mr.V.B.R.Menon

For Respondents : Mr.Hasan Mohamed Jinnah
Public Prosecutor
assist by
Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

Pursuant to the earlier orders passed by this Court on 21.04.2022, an additional affidavit has been filed by the Commissioner of Police, Greater Chennai. The relevant portions in the additional affidavit are extracted hereunder:

6.I humbly submit that, keeping in mind the fresh order of this Court dated 21.04.2022, a circular and SOP in Tamil as well as English incorporating all the directions of this Hon'ble High Court has been prepared. The Circular and SOP have been circulated in C.No.31/COP/Camp/2021-1 dated 25.04.2022. It will be implemented by the police officers concerned with strict supervision and that any deviation and non-adherence of the instructions will attract severe departmental action against concerned. It has been envisaged



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to review the cases through the Deputy Commissioners concerned, every month, to avoid any violations or deviance in future. The said SOP issued to the Police Officers concerned, is annexed to this affidavit for the kind perusal of this Hon'ble Court.

7.I humbly submit that I, as the Head of the Greater Chennai City Police, admit with much regret that the respondent police could have avoided the controversy in this case if they had followed the procedure under Section 15 of the Act before conducting the raid/search.

8.It is submitted with greatest humility that I have always had the deepest and highest regard for this Hon'ble Court and have always ensured the compliance of all the orders of this Hon'ble Court in their letter and spirit. As the Head of Greater Chennai City Police, I tender unconditional apology to this Hon'ble Court on behalf of the respondent police for not following the Court order and conducting surprise check without adhering to the procedure mandated under Section 15 of the Immoral Traffic (Prevention) Act, 1956 and the circulars issued to that effect.

2.In view of the regret expressed by the Commissioner of Police, Greater Chennai and in view of the assurance given to the effect that the procedure under Section 15 of Act will be strictly followed while conducting any raid/search and also taking into consideration the fact that



procedure while conducting the raid/search and also to review the cases on a regular basis, this Court is inclined to record the same and dispose of this contempt petition.

3. Accordingly, this Contempt Petition is closed. No Costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

SSR

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

BD/07/06/2022

To

1. The Commissioner of Police,
Chennai City Police Commissionerate,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery, Chennai – 600 007.

2. The Assistant Commissioner of Police,
Anti Vice Squad,
Chennai City Police Commissionerate,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai – 600 007.

3. The Inspector of Police,
G3 Kilpauk Police Station,
No.132, EVR Salai,
Kilpauk, Chennai – 600 010.



4. The Inspector of Police,
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Chennai – 600 041.
15. The Inspector of Police,
R-1, Mambalam Police Station,
No.1, Madley Road, T.Nagar,
Chennai – 600 017.
16. The Public Prosecutor,
High Court, Madras