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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE M. NIRMAL KUMAR

Contempt Petition No.2161 of 2022

N. Kothandaraman

... Petitioner

Vs.

Jayashankar

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Court Act, praying to punish the respondent for his willful disobedience of the order passed by this Court in Crl.OP.No.24958 of 2021 dated 23.12.2021.

For Petitioner : Mr.J.Agni Selvaraju

For Respondent : Mr.L. Baskaran
Government Advocate (Crl.side)

ORDER

The present Contempt Petition has been filed by the petitioner alleging non-compliance of the order of this Court passed in Crl.OP.No.24958 of



2021 dated 23.12.2021.

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2. The learned counsel for the petitioner submitted that this Court vide order dated 23.12.2021 in CrI.OP.No.24958 of 2021 directed the respondent police either to file a final report or closure report, as the may be within a period of six months from the date of receipt of a copy of this order under due intimation to the defacto complainant, but no action has been taken by the respondent police. After issuing pre contempt notice to the respondent herein the present contempt petition has been filed.

3. The learned Government Advocate (CrI.side) submitted that the investigation in this case has been completed on 02.11.2021 and the case has been referred as “mistake of fact”. The RCS notice as well as the report with the statement and annexures which were attempted to serve on the petitioner herein on 01.11.2022 was refused to receive by him. Thereafter notice has been stuck in the petitioner's residence confirming the service of notice on the petitioner herein and the same has been reported before the Judicial Magistrate Court, Vikravandi.



4. This Court gone through the photograph issuing notice and a copy of the report issued to the petitioner. In view of the above submission, the learned counsel for the petitioner is served with a copy of the RCS notice today and it is for the petitioner to proceed in accordance with law by filing protest petition, if he is so inclined, accordingly the Contempt petition is closed.

11.11.2022

Speaking/Non Speaking Order

Index : Yes/ No

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