



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cont. P. (MD) No.47 of 2022

in

CRL.O.P(MD) .No.17876 of 2021

Karpagavadivel

...Petitioner/Petitioner

Vs.

1.Nisha Parthiban,
The Superintendent of Police,
Pudukottai District,
Pudukottai.

2.Jafer,
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District.

...Contemnor/Respondents

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the contemnors / respondents for their willful deliberate disobedience of the order of this Court made in Crl.O.P(MD).No.17876 of 2021 dated 18.11.2021.

Prayer in CRL OP(MD). 17876/ 2021 :

To direct the R1 to transfer the investigation of the case in Crime No. 237 of 2019 on the file of the R2 to the R3 herein based on the petitioner`s representation dated. 20.09.2021.

For Petitioner : Mr.G.Arun Kumar

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Criminal Side)

O R D E R

Contending that the order passed by this Court has not been complied with, this Contempt Petition came to be filed.

2. The petitioner is the District Secretary of an Organisation known as Hindu Munnani. The petitioner alleges that he is facing threat to his life at the hands of Islamic Fundamentalists. The petitioner had given a representation earlier.



His specific grievance was that Crime No.237 of 2019 lodged at his instance is not being investigated. Hence, he filed Criminal Original Petition for transfer of investigation and in his Criminal Original Petition, I had passed the following order:-

2. The petitioner is an office bearer of an organisation. The petitioner's vehicle was set on fire on 17.10.2019 and Crime No.237 of 2019 was registered by Ganesh Nagar Police Station for the offence under Section 436 of IPC. The grievance of the petitioner is that till date the second respondent has not been able to find out the culprits. He also would state that he is regularly receiving threats. In this regard, he has given a representation dated 20.09.2021 before the first respondent. The first respondent is directed to dispose of the said representation on merits and in accordance with law. It is the duty of the respondents 1 and 2 to take appropriate measures to ensure the physical safety of the petitioner.

3. The petitioner states that even though such an order was passed, the respondents have not taken any consequential action. I therefore called upon the first respondent to file a report. The first respondent, in her reply, has stated that if the petitioner gives a specific complaint containing particulars, the respondent would definitely take action.

4. The petitioner is an office bearer of Hindu Munnani. It is well known and I can take judicial note of the fact that several office bearers associated with the said organisation were murdered by Islamic Fundamentalists. Therefore, the apprehension expressed by the petitioner cannot be brushed aside. In my earlier order, I had directed that it is the duty of the respondent Police to take appropriate measures to ensure the physical safety of the petitioner. The said direction is reiterated. As and when any specific complaint is lodged by the petitioner indicating threat to his physical safety, the respondents are strictly directed to attend to the same.

5. With this direction, this Contempt Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb



To

1.The Superintendent of Police,
Pudukottai District,Pudukottai.

2.The Inspector of Police,
Ganesh Nagar Police Station, Pudukottai District.

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NSN (CO)

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