



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Cont.P. (MD) No. 637 of 2022

K.M.Akbar Ali

.. Petitioner/A-14

Vs

- 1.Azhagar
Inspector of Police,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.
- 2.Manikandeswaran,
Sub-Inspector of Police,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.
- 3.Mahalilingam,
Special Sub-Inspector of Police
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.
- 4.Muniyasamy,
Special Sub-Inspector of Police
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.
- 5.Chezhiyan
Special Sub-Inspector of Police
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.
- 6.Marimuthu,
Head Constable,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.



7.Sundar
Police Constable,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.

8.Rameshkumar,
Police Constable,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.

9.Marudhupandian,
Police Constable,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.

10.Ramesh
Police Constable,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.

11.Rajeshkannan
Police Constable,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.

.. Respondents

Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemnors/ respondents herein for their wilful disobedience of the order passed by the Hon'ble Supreme Court in Crl.A.No.1277 of 2014 dated 02.07.2014 (Arnesh Kumar v. State of Bihar and another).

For Petitioner : Mr.S.Siva Ilayaraja

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

(Made by PARESH UPADHYAY, J.)

1. The petitioner has prayed for initiation of contempt proceedings against 11 police officers for alleged breach of the general direction of the Supreme Court of India in the case of Arnesh Kumar v. State of Bihar reported in (2014) 8 SCC 273.



2. Grievance is made with regard to discrepancy of few hours in the date and time of arrest and disclosure of the name of the petitioner as an accused, since he was not named in F.I.R.

3. We have considered the material on record, including the remand application, order passed thereon, subsequent arrest and date of grant of bail to him. We find that, even if the petitioner has grievance qua the discrepancy of few hours in the date of arrest and date of producing him before Magistrate, the remedies are not initiation of contempt proceedings. Though reliance is placed on the decision of the Delhi High Court in the case of Ajay Kumar Pipania v. Shadan Farasat in Cont.CAS(C) 480/2020 & CM APPL.25054/2020, we find that, on facts it will not take the case of the petitioner any further.

4. This Contempt Petition is dismissed.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj/15

To

1.Azhagar

Inspector of Police,
Ilayangudi Police Station,
Ilayangudi - 630 702,
Sivagangai District.

2.Manikandeswaran,

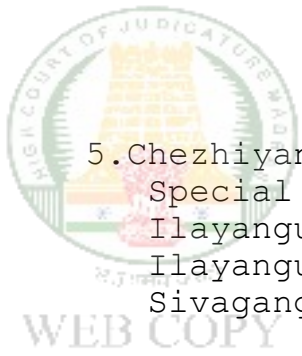
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+1 CC to M/s.S. SIVA ILAYARAJA, Advocate (SR-20249[F] dated 21/04/2022)

+1 CC to M/s.SPL.GP. (SR-20714[F] dated 22/04/2022)

Cont.P. (MD) No. 637 of 2022
21.04.2022