



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cont.PMD)No.652 of 2022

in

CRL OP(MD) No.4639 of 2022

L.Sangilimuthu

... Petitioner/Petitioner

Vs.

A.Abdul Rahman,
The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Ponnamaravathi,
Pudukottai District.

... Contemnor/3rd Respondent

PRAYER: Contempt petition filed under Section 11 of Contempt of Courts Act, to initiate the contempt proceedings against the contemnor/3rd respondent and punish him for the wilful disobedience of the order of this Court in Crl.O.P(MD)No.4639 of 2022, dated 11.03.2022.

Prayer in CRL OP(MD). 4639 of 2022 :

To direct R1 to withdraw the case Crime No. 139 of 2021 dated 31.08.2021 registered u/s 294(b), 323 of IPC r/w sec 3(1) (r), 3(1)(s) and 3(2)(va) of SC ST act on the file of R4 and entrust the same to any other competent officer and file final report.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This contempt petition has been filed to punish the respondent for disobedience of the order passed by this Court in Crl.O.P(MD)No.4639 of 2022, dated 11.03.2022, thereby recorded the submission of the learned Additional Public Prosecutor and dismissed the petition seeking transfer of investigation in Crime No.139 of 2021.

2.On the submission made by the learned Additional Public Prosecutor appearing for the respondent that on registration of F.I.R in Crime No.139 of 2021 for the offences under Sections 294(b), 323 of I.P.C r/w Sections 3(1)(r), 3(1)(s) and 3(2)(va) of SC/ST Act, the respondent Police conducted detailed enquiry and



the same was closed as 'mistake of fact' on 25.11.2021 and therefore, the transfer of investigation does not arise, hence, this Court dismissed the transfer of investigation petition. However, the petitioner was given liberty to file a protest petition in the manner know to law, if he is so advised.

WEB COPY

3.The learned Additional Public Prosecutor appearing for the respondent would further submit that after closure report, the Vigilance Managing Committee ordered for further investigation. In pursuant to the said direction, again the respondent conducted detailed investigation by examining some more witnesses and again closed the same as 'mistake of fact' on 28.03.2022.

4.In view of the above submission, no contempt is made out as against the respondent. Accordingly, this Contempt Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Ponnamaravathi,
Pudukottai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-20826[F] dated 25/04/2022)

Cont.PMD)No.652 of 2022

in
CRL OP(MD) No.4639 of 2022
22.04.2022