



CONT.P.(MD)No.874 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.07.2022**

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CONT.P.(MD)No.874 of 2022

in

Crl.O.P.(MD).No.3724 of 2020

Arjunan

... Petitioner

Vs

M.Subramanian,
The Inspector of Police,
Orathanadu Police Station,
Orathanadu,
Thanjavur District.
(Crime No.42 of 2018).

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnor/respondent for his willful and deliberate disobedience of the order of this Court passed in Crl.O.P.(MD).No.3724 of 2020, dated 28.02.2020.

For Petitioner : Mr.K.S.Duraipandian

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



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ORDER

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Alleging wilful disobedience of the order passed by this Court in CrI.O.P.(MD).No.3724 of 2020, this Contempt Petition has been filed.

2.The learned Counsel appearing for the petitioner submitted that this Court, by order dated 28.02.2020, in CrI.O.P.(MD).No.3724 of 2020, directed the second respondent therein, to complete the investigation in Crime No.42 of 2018 and file a final report within a period of two months from the date of receipt of a copy of that order. But, the respondent police did not comply with the said order. Hence this petition has been filed.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent submitted that a case has registered in Crime No.42 of 2018 under Section 379 and after investigation, it was closed as mistake of fact. Previously, for the same occurrence, a case has been registered in Crime No.453 of 2008 under Section 379 which is also closed as mistake of fact in R.C.S.No.28 of 2009 and filed final report on 15.02.2009 and thus, the learned Additional Public Prosecutor pleaded to close the contempt petition.



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3. I have considered the matter in the light of the submissions made by learned counsel for both the parties.

4. On perusal of the records it is seen that this Court by its order dated 28.02.2020 directed the respondent Police to complete the investigation in Crime No.42 of 2018 under Section 379 and it has been closed as mistake of fact and further submitted that for the same occurrence previously, a case has been registered in Crime No.453 of 2008 under Section 379 and after investigation, final report has been filed on 15.02.2009 and the case was closed as mistake of fact.

5. Recording the same, this contempt petition stands closed.

05.07.2022

Index: Yes/No
Internet: Yes/No
Nsr

To
The Inspector of Police,
Orathanadu Police Station,
Orathanadu,
Thanjavur District.



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V.SIVAGNANAM, J.

Nsr

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