



Cont.P(MD)No.1280 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2022

CORAM

THE HONOURABLE MR. JUSTICE **SATHI KUMAR SUKUMARA KURUP**

Cont.P(MD)No.1280 of 2022

in

W.P(MD) No.4834 of 2022

Raja

.. Petitioner

Vs.

1.The Additional Director General of Police,
Economic Offences Wing,
Chennai

2. The Inspector General of Police
Economic Offences Wing
Chennai.

3. Sudha
The Inspector of Police,
District Crime Branch,
Thanjavur

.. Contemnor

(R1 and R2 are *suo motu* impleaded vide order of this Court, dated 02.12.2022 and the original respondents are re-arranged accordingly)

Prayer : This petition is filed under Section 11 of Contempt of Court Act to issue a notice of contempt to the Respondent for not obeying the orders of this Honourable Court passed in dated 18-03-2022 in W.P.(MD).No.4834 of 2022 before the Honourable Madras High Court of Madurai Bench and punish the Respondent in accordance with law

For Petitioner : Mr.D.R.Murugesan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

WEB COPY

This Contempt petition has been filed to issue a notice of contempt to the Respondent for not obeying the orders of this Honourable Court passed in dated 18-03-2022 in W.P.(MD).No.4834 of 2022 before the Honourable Madras High Court of Madurai Bench and punish the Respondent in accordance with law.

2. The learned Counsel for the Petitioner would submit that he had filed this petition based on the order passed by the then learned Single Judge of this Court in W.P(MD) No.4834 of 2022 dated 18.03.2022. It is the contention of the learned Counsel for the Petitioner that the Inspector of Police, District Crime Branch, Thanjavur had not had not proceeded with the investigation as per the direction issued by the then learned Single Judge of this Court. After five months the learned Counsel for the Petitioner had issued contempt notice to the Inspector of Police, District Crime Branch, Thanjavur. They had not responded therefore he had filed this present petition.

3. The learned Additional Public Prosecutor by way of reply submitted that the allegations made against the Petitioner in the Writ Petition is not confined to Thanjavur District. The said Respondent/accused is alleged to have indulged in same offence throughout Tamil Nadu. Therefore the Economic Offences Wing, Coimbatore had also registered case in Crime No.1 of 2022 dated 30.04.2022. After registration of the case, the Inspector of Police, Crime Branch had summoned the



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Petitioner requesting him to appear before the Crime Branch, Economic Offences Wing, but the Petitioner had not cooperated and sent back the RPAD cover which is produced by the learned Additional Public Prosecutor and proof for the same. The learned Additional Public Prosecutor objected to the names of the Respondent in the contempt petition as the present Investigation Officer had taken charge on 28.02.2022 and she had been impleaded as party in this contempt petition. Without verifying this, the Petitioner had moved the contempt petition and also had not cooperated with the investigation.

4. Considering the submission of the learned Additional Public Prosecutor that the Petitioner had not cooperated and the submission of the learned Additional Public Prosecutor that he has to go to Coimbatore cannot at all be accepted in the facts of the case and in the light of the order passed by the then learned Single Judge of this Court either the District Crime Branch, Thanjavur or the officials in the Economic Offences Wing having their investigation in Thanjavur. If it is the offences having committed through out Thanjavur the Investigation Officer either on his/her own or shall depute the responsible officer to record the statement of the Petitioner as well as similarly placed persons like him who had lost their hard earned money to the crime committed by alleged offenders

5.The Additional Director General of Police, Economic Offences Wing, Chennai and the Inspector General of Police, Economic Offences Wing Chennai are



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suo motu impleaded as first and second Respondent, considering the subject matter of the adjudication.

6. In the light of the submission made by the learned Counsel for the Petitioner and the learned Additional Public Prosecutor the Additional Director General of Police, Economic Offences Wing and the Inspector General of Police, Economic Offences Wing, are *suo motu* impleaded in this contempt petition and in the light of the order of the learned single Judge of this Court they are directed to nominate an officer to the Economic Offences wing to collect statement and to record statement of the victims of the crime, similarly placed victims like the Petitioner in the office of the Superintendent of Police, Thanjavur District. The Additional Director General of Police and the Inspector General of Police shall depute an officer who had already seized of the matter as the investigation officer in Coimbatore either to gather evidence from Coimbatore or to nominate a officer to conduct investigation in this case arising in the District of Thanjavur .

7. With the above direction, the Contempt Petition is closed. (The phone number of the Petitioner/P.R.Raja – 8148701401, 9600360960) is recorded to serve the purpose of Investigation Officer/S.H.O- E.O.W.II Thanjavur as the case may be

02.12.2022

Internet : Yes



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Index : Yes/No
Speaking/Non Speaking order
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To

- 1.The Additional Director General of Police,
Economic Offences Wing,
Chennai
2. The Inspector General of Police
Economic Offences Wing
Chennai.
3. Sudha
The Inspector of Police,
District Crime Branch,
Thanjavur



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SATHI KUMAR SUKUMARA KURUP, J.

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