



Cont.P.No.770 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

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R.Sankaran

... Petitioner

Vs.

Ushadevi
Inspector of Police (Law & order)
District Crime Branch,
Thiruvarur District.
(Crime No.1 of 2021)

... Respondent

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for her willful and disobedience to comply with the order of this Court made in Crl.O.P.No.22514 of 2022 dated 19.09.2022.

For Petitioner : Mr.S.Arivazhagan

For Respondent : Mr. S.Sugendran
Additional Public Prosecutor.



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ORDER

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This Contempt Petition has been filed to punish the respondent for non compliance of the order dated 19.09.2022 passed by this Court in Crl.O.P.No.22514 of 2022, thereby directing the respondent to complete the investigation in Crime No.1 of 2021 and file final report within a period of twelve weeks.

2. The learned Additional Public Prosecutor appearing for the respondent submitted that the FIR has been registered in Crime No.1 of 2021 for the offence under Section 406, 468, 471 and 420 of IPC. One of the accused in this case filed a suit in respect of the suit property in O.S.No.190 of 2019 on the file of the Sub Court, Mannargudi, Thiruvarur District. In the said suit the original document was filed along with the plaint. Therefore, the respondent filed copy application and the same was rejected by the learned Sub Judge, Mannargudi, for the reason that the said document was marked in the suit in O.S.No.190 of 2019 and it cannot be returned to the respondent. Hence, the respondent was not able to complete the investigation in Crime No.1 of 2021.

3. In view of the submission made by the learned Additional Public



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Prosecutor, this Court is inclined to pass the following orders :-

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(i) The learned Sub Judge, Mannargudi, is directed to hand over the original document viz., original sale deed in respect of the suit property comprised in survey Nos.180/25 and 180/7, to an extent of 165 Kuli, situated at Ammanur Village, Thiruthuraipoondi Taluk, to the respondent for the period of eight weeks in order to get expert opinion regarding the signature found in the sale deed.

(ii) On receipt of the same the respondent is directed to send the document to the Forensic Laboratory, Chennai, for getting hand writing experts opinion, within a period of two weeks from the date of receipt of the said document.

(iii) The Forensic Laboratory, Chennai, is also directed to send report within a period of four weeks thereafter.

(iv) On receipt of the report, the respondent is directed to hand over the original document to the Sub Court, Mannargudi. The respondent also directed to completed the investigation in Crime No.1 of 2021 and file final report as expeditiously as possible.

4. With the above direction, this Contempt Petition is disposed of.



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Internet:Yes

Index:Yes/No

Speaking/Non speaking order

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- To
1. The Sub Judge,
Marnnargudi.
Thiruvarur District.
 2. Inspector of Police (Law & order)
District Crime Branch,
Thiruvarur District.
 3. The Director,
Forensic Laboratory,
Chennai.
 4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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