



WEB COPY



Cont.P.No.559 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 21.03.2023**

**CORAM:**

**THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN**

**Cont.P.No.559 of 2023**

1.Moithutty

2.Ibrahim Kutty

3.S.Saravanan

...

Petitioners

**Vs.**

Ramadass,  
The Inspector of Police,  
Entrustment Document Fraud – II,  
Central Crime Branch,  
Tambaram Commissionerate,  
Sholinganallur, Chennai 600 119.

...

Respondent

**Prayer:** Contempt Petition has been filed under Section 11 of Contempt of Court Act, 1971 to issue notice and punish the respondent for disobedience and not complying with the order dated 20.12.2022, made in CrI.O.P.No.31348 of 2022.

For Petitioner : Mr.M.Rajasekaran

For Respondent : Mr.S.Santhosh  
Government Advocate (Crl. Side)



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**ORDER**

This Criminal Original Petition is filed to issue notice and punish the respondent for disobedience and not complying with the order dated 20.12.2022, passed in CrI.O.P.No.31348 of 2022.

2.It is the submission of the learned counsel for the petitioners that this Court on 20.12.2022 passed an order in CrI.O.P.No.31348 of 2022 giving direction to the third respondent therein as follows:

*However, taking note of the fact that the complaint is now being enquired, the Investigation officer is directed to issue notice to the parties and conduct enquiry as directed by the Hon'ble Apex Court in the case of **Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]**. If any cognizable offence is made out, the third respondent police is bound to register the FIR otherwise they may close the complaint. Such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.*

3.It is his further submission that as per this order, FIR was not registered and therefore this petition.



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4. When the matter is taken up, the learned Government Advocate (Crl.Side) submitted that FIR was registered on 28.02.2023, in Crime No.90 of 2023, for the offences under Sections 406, 420 and 120B IPC by the Semmancherry Police Station and investigation is pending.

5. Mr.S.Ramados, Inspector of Police, CCB - EDF - II, Tambaram is present. He submitted that he was transferred as Inspector, CCB - EDF - II, Tambaram on 04.01.2023 and one Sridevi is the present incumbent holding the post. He came to know about the order passed by this Court in Crl.O.P.No.31348 of 2022 only recently. He further submitted that after preliminary enquiry, FIR was registered.

6. Considering the reasons stated and also the fact that FIR is registered, this Court is of the view that no further action need to be taken on this petition. Accordingly, this contempt petition is closed.

**21.03.2023**

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Internet: Yes  
Index: Yes/No  
Speaking/Non speaking order



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**G.CHANDRASEKHARAN, J.**  
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To:

1.Ramadass,  
The Inspector of Police,  
Entrustment Document Fraud – II,  
Central Crime Branch,  
Tambaram Commissionerate,  
Sholinganallur, Chennai 600 119.

2.The Public Prosecutor,  
High Court of Madras.

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**21.03.2023**