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Cont. P.No.1391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM

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

Contempt Petition No.1391 of 2023

K.Palanisamy

...

Petitioner

Vs

1. D.Pushparani

2. C.Gunasekar

...

Respondents

Prayer :- Contempt Petition filed under Section 11 of Contempt of Court Act 1971, praying to punish the respondents for their wilful disobedience of the order dated 04.05.2023 made in revision in Crl.R.C.No.864 of 2023 by this Court.

For Petitioner : Mr. S.R.Rajagopal
Senior Counsel
for Mr.S.R.Ragunathan

For Respondent : Mr.R.Babu Muthu Meeran
Additional Public Prosecutor

ORDER

This Contempt Petition has been filed to punish the respondents for non-compliance of the order dated 04.05.2023 passed by this Court in Crl.R.C.No.864 of 2023.



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2. The revision has been filed as against the order passed by the Judicial Magistrate No.I Salem, thereby directing the respondents to investigate the case in a fair manner and register a case, if prima facie case is made out, on or before 26.05.2023. On the day when revision petition was filed by the petitioner herein, the learned Additional Public Prosecutor appearing on behalf of the respondent submitted that as directed by the learned Judicial Magistrate in CMP No.540 of 2023 dated 26.04.2023, the FIR has been registered in Cr.No.15 of 2023 for the offence under Sections 125A of RP Act. Therefore, this Court passed interim order that the FIR has been registered only today i.e., on 04.05.2023, after filing this petition. Therefore, for filing counter and disposal, the case was adjourned to 06.06.2023 and till then the respondent was directed not to register the FIR.

3. However, pending the interim order, the respondents issued notice to various persons, such as Indian Bank, Fairlands Main Branch seeking details regarding to two Savings Bank Accounts and also to the College. The respondents were present before this Court in all the hearing dates and filed an affidavit before this Court and tendered their



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unconditional apology before this Court. The issuance of notice is neither wilful nor with any deliberate intention to disobey the order of this Court. However, they undertook before this Court that they will not investigate the matter till the disposal of the main revision petition in Crl.R.C.No.864 of 2023.

4. Considering the above submission and undertaking given before this Court and also accepting the unconditional apology offered by the respondent, this Court is inclined to close the complaint. Accordingly, this Contempt Petition is closed.

12.07.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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