



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.1837 of 2022
in Crl.OP.No.3285 of 2021

R.Somasundaram
S/o.Ramasamy Gounder
61, Nalliyankadu, Selvam Nagar
Kumalankuttai
Erode District 638 011.

..Petitioner/Petitioner

vs.

Mr.N.S.Lingasamy
The Sub Inspector of Police
Erode North Police Station
Erode District.

..Respondent/Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent herein for the willful disobedience of the orders of this Court passed in Crl.OP.No.3285 of 2021 dated 18.02.2021.

For Petitioner : Mr.S.Thirukkumaran

For Respondent : Mr.VR.Vinoth Raja
Government Advocate (Crl.side)

ORDER



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This Contempt Petition was filed on the ground that the direction issued by this Court in Crl.OP.No.3285 of 2021, dated 18.02.2021, was not complied with.

2. When the matter came up for hearing on 12.02.2022, the learned Government Advocate (Crl.side) took time to take instructions and to report compliance.

3. When the matter was taken up for hearing today, the learned Government Advocate (Crl.side) submitted that the FIR was registered and the investigation was done and closure report was also filed before the Judicial Magistrate No.I, Erode on 30.02.2022, as 'mistake of fact'. The relevant documents were also placed before this Court.

4. The learned counsel for the petitioner submitted that the RCS notice was served on the petitioner only during December 2022 and that the petitioner was not aware about the referred charge sheet filed by the respondent police.



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5. In the considered view of this Court, RCS notice has been served on the petitioner. If the petitioner is aggrieved by the same, it is left open to the petitioner to workout his remedy before the concerned Court by filing a protest petition and proceed further in accordance with law.

4. This contempt petition is closed by giving the above liberty to the petitioner.

06.01.2023

Internet : Yes/No
KP

To

Mr.N.S.Lingasamy
The Sub Inspector of Police
Erode North Police Station
Erode District.

N. ANAND VENKATESH, J.



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