



Cont.P.No.1987 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

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

Cont.P.No.1987 of 2023

A.Maria Joseph

... Petitioner

Vs.

Balu,
Inspector of Police,
Cheyyar Police Station,
Cheyyar,
Thiruvannamalai District.

... Respondent

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondent for having committed contempt of the order passed in Crl.O.P.No.17556 of 2021 dated 20.07.2022 on the file of this Court.

For Petitioner : Mr.K.G.Senthilkumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



Cont.P.No.1987 of 2023

ORDER

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This Contempt Petition has been filed to punish the respondent for non compliance of the order dated 20.07.2022 passed by this Court in W.P.No.17556 of 2021, thereby directing the respondent to conduct enquiry on the compliant lodged by the petitioner dated 06.11.2019, after giving opportunity to the petitioner and counter party, dispose the same within a period of two weeks.

2. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that on the compliant lodged by the petitioner, he was issued with C.S.R.No.450 of 2023 and thereafter conducted enquiry on 14.09.2023. On enquiry, it was found that all the allegations made in the complaint are civil in nature and therefore, the respondent closed the complaint and also directed the parties to approach the civil Court for appropriate relief.

3. The learned counsel appearing for the petitioner submitted that the petitioner lodged complaint on 06.11.2019, whereas he was issued CSR in the year 2023, as if new complaint has been lodged. That apart, the counter



Cont.P.No.1987 of 2023

party is very much attached with the respondent police as Sub Inspector of Police, Traffic. Therefore, the respondent without conducting the enquiry in proper manner closed the complaint as if the allegations are civil in nature.

4. Considering the above submissions, the petitioner is directed to lodge a private complaint as against the counter party, within a period of two weeks from the date of the receipt of a copy of this Order, before the concerned Judicial Magistrate. On receipt of the same, the concerned Judicial Magistrate is directed to deal with the complaint and if any cognizable offence is made out as against the counter party, take the complaint on file and issue summons to the counter party, proceed with the case in accordance with law.

5. With the above directions, this Contempt Petition is disposed of.

20.09.2023

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



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Cont.P.No.1987 of 2023

G.K.ILANTHIRAIYAN, J.

rts

To

1. The Inspector of Police,
Cheyyar Police Station,
Cheyyar,
Thiruvannamalai District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

Cont.P.No.1987 of 2023

20.09.2023