



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cont.P.No.2740 of 2022

T.Kandasamy

... Petitioner

Vs

Saranya
The Inspector of Police,
Panruti Police Station,
Panruti, Cuddalore District.

... Respondents

Prayer: Petition filed under Section 11 of the Contempt of Courts Act to punish the respondent police for deliberately disobeying the order of this Court dated 28.11.2018 in Crl.O.P.No.6049 of 2014.

For Petitioner : Ms.K.Varsha

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

This contempt petition has been filed before this Court on the ground that the order passed in Crl.O.P.No.6049 of 2014, dated 28.1.2018 has not been complied with.



WEB COPY 2. When the matter came up for hearing on 03.03.2023, this Court passed the following order:

The Criminal Original petition was disposed of by directing the respondent police to complete the investigation and file the final report or the closure report as the case may be within a time frame.

2. *When the matter came up for hearing on 03.02.2023, the learned Government Advocate submitted that the investigation is at its final stage and that the final report will be filed within a period of three weeks.*

3. *When the matter was taken up for hearing today, the learned Government Advocate produced the CD file. It is quite shocking to notice from the CD file that the Sub-Inspector of Police, Panruti Police Station has sent a communication to the Revenue Divisional Officer, Panruti, in the year 2013 to the effect that he made a secret enquiry and found that the deceased had committed suicide out of frustration.*

4. *The petitioner's daughter died under suspicious circumstances on 06.06.2013 and the Criminal Original Petition was filed in the year 2014, which was disposed of in the year 2018 with a direction to the respondent police to complete the investigation and file the final report.*



5. *There has been absolutely no progress in this case and hence, this Court is inclined to proceed further to take action against the police for non-compliance of the order passed by this Court.*

6. *Mr.A.Kannan, Inspector of Police, Panruti Police Station, Cuddalore District, was present before this Court and he stated that he took charge of the Panruti Police station one month ago. After the order was passed on 28.11.2018, the following officers were working as Inspector of Police at the Panruti Police station.*

Sl.No.	Name of the Officer	Period	Presently working as
1.	Mr.Arokya Raj	21.06.2017 to 15.02.2019	DSP, Virudhachalam, Cuddalore District
2.	Mr.Sanmugam	01.03.2019 to 15.04.2020	Inspector, Erode Noth, Erode District.
3.	Mr.Ambedkar	21.04.2020 to 23.12.2020	Inspector SBCID, Cuddalore
4.	Mr.Chandran	12.01.2021 to 30.01.2023	Inspector, PEW, Thirukovilur, Kallakurichi District.

7. *All the above officers shall be present before this Court during the next date of hearing. The present Inspector of Police Mr.A.Kannan shall also be present before this Court during the next date of hearing. This Court wants the police officers to file a status report before this Court as to what action they had taken after the orders were passed by this Court on 28.11.2018.*



8. *Post this contempt petition under the caption for “Reporting compliance” on 17.03.2023 at 2.15 p.m. as the first case.*

3.Pursuant to the above order, 1) Mr.A.Kannan, Inspector of Police, Panruti Police Station, Cuddalore District; 2) Mr.Arokya Raj, Deputy Superintendent of Police, Virudhachalam, Cuddalore District; 3) Mr.Shanmugam, Inspector of Police, Erode Noth, Erode District; 4) Mr.Ambedkar, Inspector SBCID, Cuddalore and 5) Mr.Chandran, Inspector of Police, PEW, Thirukovilur, Kallakurichi District were present before this Court.

4.Mr.Arokiaraj, who is presently the Deputy Superintendent of Police at Virudhachalam, Cuddalore District explained this Court that immediately after the order was passed in Criminal Original Petition, he went through the General Diary and found that the case in Crime No.505 of 2013 was closed as 'Action Dropped” in the year 2013 itself. Hence, no further action was taken on the orders passed by this Court.

5.This Court brought to the notice of the concerned Police Officer that the action dropped report that has been produced before this Court is not in accordance with the procedure contemplated under Section 174 of Cr.P.C. The



Police Officer stated that such a procedure was followed in the year 2013 and subsequently, after guidelines were given by this Court, this procedure has been changed and presently an FIR registered under Section 174 of Cr.P.C., ultimately, culminates into a final report or a closure report and it is filed before the concerned jurisdictional Court.

6. In the present case, the petitioner, who lost his daughter under suspicious circumstances in the year 2013 has been running from pillar to post to find out the truth behind the death of his daughter. The petitioner has every right to prosecute the case until he ascertains the truth behind the suspicious death of his daughter. Till date, the petitioner has been kept in dark and the petitioner does not even know that the case has been closed in the year 2013 itself. If a system functions in this manner, people will lose faith in the system.

7. In the light of the above discussion, there shall be a direction to the Inspector of Police, Panruti Police Station, Cuddalore District to reinvestigate the case in Crime No.505 of 2013 by following the guidelines issued by this Court in *Manohari and Others vs. The District Superintendent of Police, Sivagangai and Others* reported in *2018 2 LW CrI 522*. Ultimately, the investigation must result either in a final report or a closure report filed before



the concerned jurisdictional Court. This process shall be completed by the Inspector of Police, Panruti Police Station, within a period of three months from today. If ultimately, a closure report is filed, the petitioner shall be put on notice, so that, a petitioner will atleast get an opportunity to file a protest petition, if he is aggrieved and prosecute the case in accordance with law.

8.This Court hopes that the concerned Police Officers will not repeat this mistake and they shall ensure that they take up investigation effectively when an FIR is registered under Section 174 of Cr.P.C., and take it to its logical end as per the guidelines given by this Court.

9.This contempt petition is disposed of with the above directions.

17.03.2023

Index : Yes/No
Neutral Citation Case : Yes/No
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WEB COPY

To
The Inspector of Police,
Panruti Police Station,
Panruti, Cuddalore District.



WEB COPY



N. ANAND VENKATESH, J.

SSR

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