



WEB COPY



Cont.P.No2335 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cont.P.No.2335 of 2023

A.Thendral

... Petitioner

Vs.

Rajathamara Pandian

... Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for wilfully disobeying the orders passed in Crl.OP.No.No.18520 of 2023 dated 16.08.2023.

For Petitioner : Mr.S.Neduhchezhiyan

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

ORDER

Criminal Original Petition filed for seeking police protection and the same was considered by this Court directing the petitioner to cooperate with the enquiry and the police to conduct the enquiry in accordance with the guidelines laid by the Hon'ble Supreme Court rendered in *Lalitha Kumari Vs. Government of Uttar Pradesh* reported



Cont.P.No2335 of 2023

in 2013 (6) CTC 353 and completed the enquiry within a period of two weeks. Alleging that the said direction not been complied by the police, the present contempt petition is filed.

2. The learned Government Advocate (Crl.Side) submitted that as per the directions of this Court, the complaint given by the petitioner been registered in Cr.No.263 of 2023 dated 04.09.2023 for the offences under Section 294(b), 447, 379, 506(1) of IPC and the same is under investigation. However, the counsel appearing for the petitioner states that the order of the Court passed on 16.08.2023 has not complied with . The Children of the petitioner is forcibly under the custody of her in-laws and protection is required. Therefore, that wilful disobedience of the order passed this Court, necessary action to be taken.

3. Reading of the affidavit filed in respect of the petition seeking police protection, the representation of the petitioner and the present contempt petition, this Court finds that matrimonial dispute and the dispute regarding the custody of the minor children been given a different twist and colour , as if there is a threat to the child and police has to provide protection.



Cont.P.No2335 of 2023

4. This Court after considering the nature of the dispute, directed the police to register the complaint and proceed. Accordingly, the police has acted upon and there is no element of disobedience of the order. Hence, this Contempt Petition is dismissed.

Vv

21.11.2023

Dr.G.JAYACHANDRAN,J.



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Cont.P.No2335 of 2023

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Cont.P.No2335 of 2023

21.11.2023