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Cont.P.No.142 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2023

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THE HON'BLE Mr.JUSTICE M.NIRMAL KUMAR

Cont.P.No.142 of 2023

D.Jeevitha

... Petitioner

Vs.

Thompson Xavier M.George,  
The Inspector of Police, (Crime),  
R-5, Virugambakkam Police Station,  
Virugambakkam, Chennai-600 09.

... Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to issue summon to the respondent herein and punish for disobeying the order passed by this Court in Crl.O.P.No.22364 of 2021 dated 06.12.2021 and to issue a directing, directing the respondent Police to register the FIR in C.S.R.No.563/2021.

For Petitioner : Mr.A.Murali

For Respondent : Mr.R.Muniyapparaj,  
Additional Public Prosecutor

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ORDER

This Contempt Petition has been filed to comply with the order of this Court, dated 06.12.2021 in Crl.O.P.No.22364 of 2021 directing the respondent Police to register FIR on the complaint of the petitioner in C.S.R.No.563 of 2021.



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2.Despite positive direction given by this Court in Crl.O.P.No.22364 of 2021, dated 06.12.2021, the respondent failed to comply with the order. Annoying over the same, the petitioner issued pre-contempt notice on 28.01.2022 along with the order of this Court. Since no action taken by the respondent, the petitioner has filed the present Contempt Petition.

3.The learned Additional Public Prosecutor appearing for the respondent Police submitted that on the complaint of the petitioner, an FIR registered in Crime No.89 of 2023, for offence under Sections 419, 420 and 379 of IPC against three accused viz., Jayaprakash, Subha and Rajendren Varma, owner of the jewellery shop. He further submitted that the investigation is commenced and soon final report will be filed.

4.The learned counsel for the petitioner submitted that the investigation is proceeding to save A1 and A2 in this case and the respondent projected that the jewels belong to A1 and A2, but it is not so. Further, the signature found in the receipts are all forged, for which, no investigation so far conducted by the respondent Police.



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5.Replying to the submissions of the learned counsel for the petitioner, the learned Additional Public Prosecutor submitted that the petitioner's contention with regard to specific allegation and incidents about the act of the accused would be considered during investigation.

6.Recording the submissions of the learned Additional Public Prosecutor and finding that the order of this Court, dated 06.12.2021 in CrI.O.P.No.22364 of 2022 is complied with, this Contempt Petition is closed. No costs.

24.02.2023

Speaking Order/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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To

The Public Prosecutor,  
High Court, Madras.



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M.NIRMAL KUMAR, J.

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