



CONT.P.(MD)No.996 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CONT.P.(MD)No.996 of 2023
in
CrI.O.P.(MD)No.23165 of 2022

K.Palanisamy

... Petitioner/
Petitioner

VS.

T.Sathyadevi
The Sub-Inspector of Police,
Namanasamuthiran Police Station,
Pudukottai District.

... Contemnor/
Respondent

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Court Act, 1971, to initiate contempt proceedings against the contemnor/respondent and punish her under Section 11 of the Contempt of Court Act, 1971 for the willful disobedience of the order of this Court in CrI.O.P.(MD)No.23165 of 2022 dated 03.01.2023.

For Petitioner : Mr.S.Rajasekar

For Contemnor : Mr.S.Ravi

Additional Public Prosecutor



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ORDER

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The Contempt Petition has been filed to initiate contempt proceedings against the contemnor and punish her for the willful disobedience of the order of this Court in CrI.O.P.(MD)No.23165 of 2022 dated 03.01.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen from the records that this Court in CrI.O.P.(MD)No. 23165 of 2022 considering the submission made by the learned Government Advocate (Criminal Side) that investigation is pending, has passed the order dated 03.01.2023 directing the respondent therein to complete the investigation and file a final report within a period of one month from the date of receipt of copy of that order.

4. After filing of the contempt petition, when the matter was taken up for hearing on 14.08.2023, the learned Additional Public Prosecutor submitted that the FIR was lodged on 08.05.2022 and final report was made ready on 09.05.2022, but the Special Sub Inspector of Police has given instructions to the learned Government Advocate (Criminal Side) that investigation was pending.



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5. When the matter is taken up for hearing today, the learned Additional Public Prosecutor would submit that after completing the investigation, charge sheet came to be filed on 03.06.2023 before the learned Judicial Magistrate, Thirumayam and RCS notice was served on the petitioner/defacto complainant. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner has already filed a protest petition before the concerned Court.

6. Today, M/s.V.Gowri, Inspector of Police, who filed the final report, has filed a counter affidavit admitting the mistake and expressed her unconditional apology for the mistake.

7. Considering the above facts and circumstances and taking note of the unconditional apology submitted by the concerned Inspector of Police, this Contempt Petition is closed. The learned Judicial Magistrate, Thirumayam is directed to proceed with the protest petition filed by the petitioner in accordance with law.

11.10.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
csm



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K.MURALI SHANKAR, J.

csn

To

- 1.The Judicial Magistrate,
Thirumayam.
- 2.The Sub-Inspector of Police,
Namanasamuthiran Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN

CONT.P.(MD)No.996 of 2023

in

CrI.O.P.(MD)No.23165 of 2022

Dated : 11.10.2023