

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CONT.P(MD)No.994 of 2022
and
WMP(MD)No.117 of 2022
in
W.P(MD)No.2563 of 2021

S.Murugaganesan

... Petitioner

VS.

1. Mr.C.Eswaramoorthy, IPS
The Inspector General of Police,
"Q" Branch CID,
Chief Office,
Chennai.

2. Mr.R.Ganesh Babu,
The Inspector of Police,
"Q" Branch CID,
Madurai.

... Respondents

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors/respondents herein for their wilful, deliberate and disobedience of the order passed by the Division Bench of this Court in W.P(MD)No.2563 of 2021 dated 11.02.2021 under the Contempt of Courts Act.

For Petitioner : Mr.Niranjana S.Kumar for
Mr.K.Navaneetharaja
For Respondents : Mr.Veera Kathiravan
Additional Advocate General for
Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

WMP(MD)No.117 of 2022 is filed seeking extension of time for complying with the orders of this Court passed in W.P(MD)No.2563 of 2021. By an order dated 11.02.2021, this Court had directed the respondents to complete the investigation and file a charge sheet within a period of three months from the date of receipt of a copy of the order. Subsequently, there was an application for extension of time in WMP(MD)No.8752 of 2021 where, the time was enlarged upto a period of six months from 14.07.2021. Claiming that they could not complete the investigation due to various factors, the applicant in WMP(MD)No.117 of 2022 has sought for extension of time for a further period of six months. The said application was filed on 21.12.2021. Even during the pendency of the application, it is now stated that the investigation has been

completed and a charge sheet has also been filed and the same was taken on file in C.C.No.1503/2022 on the file of the learned Judicial Magistrate No.IV, Madurai, on 23.08.2022.

2. Mr.Niranjan S.Kumar would, however, submit that the respondents themselves have said that it is only a preliminary charge sheet and a supplementary charge sheet will be laid after obtaining sanction to prosecute. This is a case where both employees of Central and State Government are involved. Insofar as the employees of the State Government are concerned, the State Government had granted sanction to prosecute. The Central Government had granted sanction in respect of one passport official. Insofar as the other officers are concerned, the Central Government has not granted sanction and appeal filed by the State against the order refusing sanction is stated to be pending.

3. In the light of the above, we find that the order of the Division Bench is substantially complied with. It is open to the petitioner in W.P(MD)No.2563/2021 to raise any issue, if he is so advised, before the criminal court.

4. In view of the said compliance, CONT.P(MD)No.994 of 2022 and WMP(MD)No.117 of 2022 in W.P(MD)No.2563 of 2021 are closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
28.03.2023

Index : Yes / No
Internet : Yes
Neutral Citation : Yes / No
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CONT.P(MD)No.994 of 2022 &
WMP(MD)No.117 of 2022 in
W.P(MD)No.2563 of 2021

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
CONT.P(MD)No.994 of 2022
and
WMP(MD)No.117 of 2022 in
W.P(MD)No.2563 of 2021
DATED : 28.03.2023