



CONT.P.(MD)No.1246 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.1246 of 2023

in

CrI.O.P.(MD)No.40 of 2023

S.Devaraju
represented by its Power Agent
Appavu

... Petitioner/
Petitioner

vs.

1.Durairaj
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.

2.Ravi Chakkaravarthy
Deputy Superintendent of Police,
Prohibition Enforcement Wing (PEW),
Theni.

... Contemnors/
Respondents

(R2 is impleaded as the second contemnor vide Court order dated 17.08.2023 in Cont.P.(MD)No.1246 of 2023)

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act 1971, to punish upon the contemnors/respondents for willful disobedience of the order passed by this Court in CrI.O.P.(MD)No.40 of 2023 on 04.01.2023 and punish them according to law.



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For Petitioner : Mr.B.Prasanna Vinoth

For Contemnors : Mr.S.S.Madhavan

Government Advocate (Crl. Side)

ORDER

The Contempt Petition has been filed to initiate contempt proceedings against the contemnors and punish them for the willful disobedience of the order of this Court in Crl.O.P.(MD)No.40 of 2023 dated 04.01.2023.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the contemnors.

3. It is seen from the records that this Court in Crl.O.P.(MD)No.40 of 2023, considering the submission made by the learned Government Advocate (Criminal Side) that investigation is pending, has passed the order dated 04.01.2023 directing the second respondent therein to complete the investigation and file a final report within a period of two months from the date of receipt of copy of that order.

4. After filing the contempt petition, the learned Government Advocate (Criminal Side) appearing for the contemnors submitted that



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the first contemnor, after completing the investigation, has filed a final report dated 10.07.2023 referring the matter as Mistake of Fact before the jurisdictional Court and that the learned Judicial Magistrate, Pattukottai has issued the RCS notice to the defacto complainant and the same is pending.

5. Pending the contempt petition, the Inspector of Police, who was the incharge of the said police station at the time of order passed by this Court, was impleaded as second contemnor and he has filed an affidavit admitting the mistake and expressed his unconditional apology.

6. Recording the same, this Contempt Petition is closed. The petitioner is at liberty to file a protest petition before the concerned Court and on such application, the learned Judicial Magistrate is directed to proceed with the protest petition 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 Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
- 2.The Deputy Superintendent of Police,
Prohibition Enforcement Wing (PEW),
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN

CONT.P.(MD)No.1246 of 2023

in

Crl.O.P.(MD)No.40 of 2023

Dated : 11.10.2023