



Cont.P.(MD)No.1395 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on	Pronounced on
21.09.2023	27.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Cont.P.(MD)No.1395 of 2023

in

W.P.(MD).No.7277 of 2022

Karunjayee @ B.Sakthivel

... Petitioner

Vs

The Superintendent of Police,
Karur District,
Karur.

... Contemnor/ 3rd respondent

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act, to punish the contemnor/respondent for his willful disobedience of the order passed by this Court made in W.P.(MD).No.7277 of 2022, dated 19.04.2022.



Cont.P.(MD)No.1395 of 2023

For Petitioner : Mr.S.Gokul Raj
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

This petition is filed seeking to punish the contemnor / respondent for willful disobedience of the order passed by this Court in W.P.(MD).No.7277 of 2022, dated 19.04.2022.

2. Heard both sides and perused the records.

3. In order to appreciate the contention of the petitioner that the orders have been passed on 19.04.2022 in W.P.(MD).No.7277 of 2022 are extracted hereunder:

“(6).In view of the above circular passed by the Director General of Police, Chennai, this Court is inclined to passed the following orders:-

(i). the third respondent is directed to consider the petitioner's representation, dated



Cont.P.(MD)No.1395 of 2023

04.04.2022 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.”

4. It is submitted by learned counsel for the petitioner that even after orders passed by this Court on 19.04.2022, the contemnor / respondent failed to take suitable directions to comply the orders, thereby, the petitioner has sent a notice to the contemnor, as there was no response from the respondent, this Contempt Petition is filed.

5. Learned Additional Public Prosecutor, on the other hand, submits that, the respondent Police have not committed any Contempt and the representation of the petitioner has already been disposed of by following the directions of this Court and learned Additional Public Prosecutor has also filed a status report in this regard.

6. On perusal of the prayer portion of W.P.(MD).No.7277 of 2022, it is clear that the petitioner sought for a direction to respondent Nos.2 to 6 Police to delete the name of the petitioner from the History



Cont.P.(MD)No.1395 of 2023

Sheet in M.C.No.4 of 2022, dated 05.01.2022. The grievance of the petitioner is that in spite of directions given in W.P.(MD).No.7277 of 2022, the petitioner's name is still not removed from the History Sheet in M.C.No.4 of 2022.

7. On careful perusal of the orders passed by this Court in W.P.(MD).No.7277 of 2022, it is clear that this Court has directed the respondent Police to consider the representation of the petitioner, dated 04.04.2022 and pass orders on merits and in accordance with law within a period six weeks. This Court has not given any specific directions to the respondent Police to delete the name of the petitioner from the History Sheet in M.C.No.4 of 2022. Now, the question is whether the respondent Police have violated the directions of this Court.

8. It is submitted by the respondent Police that on account of the criminal activity of the petitioner, a rowdy sheet was opened against the petitioner on 05.10.2010 which is valid till 31.12.2023 and in W.P.(MD).No.19651 of 2017, dated 26.09.2018, certain directions have



Cont.P.(MD)No.1395 of 2023

WEB COPY

been given by the Deputy General of Police in respect of maintenance of history sheet, according to why the respondent Police can review the case of the history sheeters periodically. Accordingly, the petitioner's case reviewed on 04.07.2023 by following due process.

9. Considering the submissions made by both sides, since this Court has not specifically directed the respondent Police to delete the name of the petitioner from the history sheet and since the respondent Police have been periodically reviewed the cases of the history sheeters, the petitioner failed to make out a case that the respondent Police have committed the Contempt of the orders passed by this Court.

10. Accordingly, this Contempt Petition is dismissed.

27.09.2023

Ncc : Yes/No
Index : Yes/No
Internet : Yes/No

tsg

5/6



WEB COPY



Cont.P.(MD)No.1395 of 2023

DR.D.NAGARJUN, J.

tsg

To:

The Superintendent of Police,
Karur District,
Karur.

Pre-Delivery Order made in

Cont.P.(MD)No.1395 of 2023

in

W.P.(MD).No.7277 of 2022

27.09.2023