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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.2587 of 2024
in CrI.OP.No.5005 of 2024

S.M.Kamaluddin

.. Petitioner

vs.

Mr.Prabhu
The Inspector of Police
J-9, Thoraipakkam Police Station
Thoraipakkam
Chennai 600 097.

.. Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for his willful disobedience in not complying with the order dated 04.03.2024 passed by this Court in CrI.OP.No.5005 of 2024

For Petitioner : Mr.S.M.Kamaluddin

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI.Side)

ORDER

The contempt petition was filed on the ground that the order passed by this Court in CrI.OP.No.5005 of 2024 dated 05.03.2024, was not complied with.



2. When the matter was taken up for hearing, the affidavit of the respondent

was filed. The relevant portion is extracted hereunder:

11. I respectfully submit that as per the order of this Hon'ble Court in CrI.OP.No.5005 & 5465 of 2024 dated 04.03.2024, the respondent police called both the petitioner and counter petitioner for enquiry. But both the parties did not appear for enquiry and did not co-operate the enquiry. The C.S.R No.212 of 2024 petition is given by the petitioner wife and C.S.R.No.223 of 2024 is given by petitioner against wife. So, the then Inspector closed the two C.SR.No.212 of 2024 and C.S.R.No.223 of 2024 on 14.03.2024.

3. The learned counsel for the petitioner submitted that the petitioner was never called for an enquiry and the complaint has been closed in a hasty manner.

4. In the considered view of this Court, the respondent police has chosen to close the complaint. Therefore, if the petitioner is aggrieved, it is left open to the petitioner to independently agitate his grievance by filing an appropriate application before the learned Magistrate. Except giving this clarity, no further orders can be passed in this contempt petition.

5. Accordingly, this contempt petition is closed.

06.09.2024

Internet: Yes
Index: Yes/No
Speaking Order/Non-Speaking Order
KP



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To

Mr.Prabhu
The Inspector of Police
J-9, Thoraipakkam Police Station
Thoraipakkam
Chennai 600 097.



WEB COPY



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N. ANAND VENKATESH, J.

KP

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