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Contempt Petition No. 3117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2024

CORAM

THE HON'BLE MR.JUSTICE M. NIRMALKUMAR

Contempt Petition No. 3117 of 2024

M. Devadass

..Petitioner

Vs.

Mr. Muralidharan

..Respondent

Prayer: Petition under Section 11 of the Contempt of Courts Act, 1970/71
to punish the respondent for committing wilful disobedience of the order
passed by this Court dated 28.06.2023 in CrI.O.P. No. 30513 of 2022.

For Petitioner	::	Ms.N. Gayathri for Mr.S. Thiruvengadam
For Respondent	::	Mr.A. Damodaran Addl. Public Prosecutor



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ORDER

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The petitioner as complainant had lodged a complaint with the respondent Police and the respondent Police had assigned CSR No. 780 of 2022 on 12.10.2022. Thereafter, the respondent Police had not taken any action despite cognizable offence committed. Hence, the petitioner filed a petition in CrI.O.P. No. 30513 of 2023 and this Court had directed the respondent Police to cause enquiry to find out whether forgery had been committed since the persons involved were attached to Village Administrative ('VAO' in short) office having access to Government documents and conversant with procedures. This order has been passed on 28.06.2023. Thereafter too, no action taken. Hence, pre-contempt notice issued to the respondent on 11.03.2024 and thereafter, the present petition filed.

2. Learned Additional Public Prosecutor appearing for the respondent submitted that the respondent Police now registered a case in



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Crime No.330 of 2023 on 17.08.2023 for offences under Sections 120B, 465, 468,, 420 and 506(i) IPC against Radhakrishnan, Suresh, Arunachalam and Anbarasan after the directions of this Court in Crl.O.P. No. 30513 of 2022.

3. Learned counsel for the petitioner submits that though it is projected as if the case has been registered as early as on 17.08.2023, only today, for the first time, the petitioner is informed that a case has been registered on the petitioner's complaint. The petitioner apprehends that Police in a collusive manner, may conduct investigation and finally, close the case and the purpose of the petitioner filing the above petition would get defeated and the petitioner would be denied access to justice.

4. Learned Additional Public Prosecutor fairly submitted that the petitioner so far not been informed about the registration of the case. No statement of complaint recorded. The learned Additional Public Prosecutor submitted that the erstwhile Inspector of Police, who registered



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the case namely, Tamilarasi and one Muralidharan(the respondent herein), not conducted proper investigation and now, the present incumbent, namely, Mr.K. Rajaram, who is present before this Court undertakes to conduct proper investigation, take appropriate steps, follow the procedure, collect documents including summoning the petitioner, recording the statements of witnesses, complete the investigation within a period of six months and file the final report in the above case.

5. Since it is seen that the erstwhile Inspector of Police Tamilarasi and one Muralidharan, after registration of FIR on 17.08.2023 till date not even thought fit to inform and summon the defacto complainant/petitioner herein and record his staement and kept the case in cold storage, hence, the Superintendent of Police, Thiruvannamalai, to cause enquiry in this regard and take appropriate action, if required. The Superintendent of Police is also to monitor the progress of investigation and ensure that the orders of this Court are complied with in letter and spirit.



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6. With the above observation, the contempt petition is

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closed.

18.10.2024

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To

1. The Superintendent of Police,
Thiruvannamalai.
2. The Public Prosecutor,
High Court, Madras.



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M. NIRMALKUMAR,J.

nv

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