



Cont P(MD).No.2203 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Cont P(MD).No.2203 of 2024

Yousup @ Yousuf Mohamed Mohideen

... Petitioner / Petitioner

Vs.

**Ramar
The Inspector of Police,
Kottar Police Station,
Nagercoil,
Kanyakumari District,
(Crime No.916 of 2020)**

... Contemnor / Respondent No.1

PRAYER : Contempt Petition filed under Section 11 of the of Contempt of Courts Act, 1971 to initiate contempt proceedings against the contemnor / respondent and punish him for the willful disobedience of the order of this Court in CrI.O.P(MD)No.21653 of 2023 dated 01.12.2023.

For Petitioner : Mr.G.Anto Prince

**For Respondent : M/s.R.Meenakshi Sundaram
Additional Public Prosecutor**



Cont P(MD).No.2203 of 2024

ORDER

WEB COPY

This contempt petition is filed to punish the contemnor for having committed willful disobedience of the order passed by this Court in CrI.O.P(MD)No.21653 of 2023 dated 01.12.2023, directed the investigation to go on but subject to the result of the petition final report need be filed.

2. Against the interim order now it has been stated that final report has been filed on 04.01.2024. Later CrI.O.P(MD)No.21653 of 2023 was disposed by the co-ordinate Bench of this Court on 21.10.2024, granting liberty to the petitioner to challenge the final report. According to the petitioner, the respondent has not only continued the investigation but also filed final report even without waiting for the final disposal of the petition.

3. Per contra, learned Additional Public Prosecutor would submit that the respondent has not properly noticed the interim order passed by this Court. So the lapse on their part is not willful.



Cont P(MD).No.2203 of 2024

WEB COPY

4. The respondent is present before this Court. The CD file is also produced. On perusal of CD file, it is seen that the order of this Court dated 01.12.2023 is not available in the bundle. The respondent has stated that the order copy was not received. So without noticing the order, he filed the final report, against this petitioner.

5. Per contra, learned counsel for the petitioner would submit that the interim order was brought to the notice of the respondent herein personally.

6. Which one of the above statement is correct, is beyond the enquiry to be made by this Court. As indicated above, the copy of the interim order, is not available in the CD file. There is no reason for the respondent to file the final report willfully by violating the order. Now after filing the final report, the petitioner filed another Crl.O.P.(MD)No. 17759 of 2024, seeking quashment of the final report filed in this matter.



Cont P(MD).No.2203 of 2024

7. The interim order was passed on 21.10.2024, staying further proceedings. Now the petitioner is safe. As noted above, I find no reason to punish the respondent, since willful disobedience on his part is not available on records. But however, the respondent was instructed to be careful in future in following the Court orders.

8. With the above said observation, this Contempt Petition is closed. No costs.

25.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

pnn

To

- 1.The Inspector of Police, Kottar Police Station,
Nagercoil, Kanyakumari District,
(Crime No.916 of 2020)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Cont P(MD).No.2203 of 2024

G.ILANGOVA, J.

pnn

Cont P(MD).No.2203 of 2024

25.10.2024