



Cont.P.(MD)No.1600 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 04.07.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Cont.P.(MD)No.1600 of 2025
in
CrI.O.P.(MD)No.2157 of 2024

Udhaya Santhiya

... Petitioner

versus

Tmt.A.Vincent Anbarasi,
The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari District – 629 001.

... Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act 1971, to initiate contempt proceedings as against the contemnor/respondent and punish her for the willful disobedience of the order of this Court passed in CrI.O.P.(MD)No.2157 of 2024 dated 13.02.2024.

For Petitioner : Mr.G.Anto Prince

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

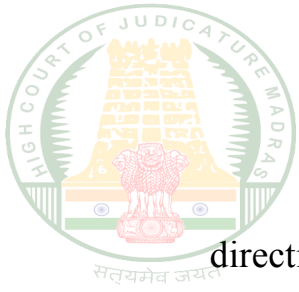


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ORDER

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The petitioner has lodged a complaint as against her husband and in-laws on 27.02.2023 that she has been harassed by her in-laws demanding dowry. The complaint of the petitioner was not enquired by the respondent Police. Therefore, the petitioner has filed a complaint before the learned District Munsif cum Judicial Magistrate, Boothapandi, under Section 156(3) Cr.P.C. The learned District Munsif cum Judicial Magistrate, by his order dated 27.07.2023 in Cr.M.P.(MD)No.1346 of 2023, forwarded the petitioner's complaint to the respondent Police with a direction to the respondent Police to enquire the petitioner's complaint and register a case. In spite of the same, the petitioner's complaint was not enquired by the respondent Police. Therefore, the petitioner has filed a petition before this Court in CrI.O.P.(MD)No.2157 of 2024 seeking a direction to comply with the direction issued by the learned District Munsif cum Judicial Magistrate, Boothapandi, under Section 156(3) Cr.P.C. in Cr.M.P.No.1346 of 2023 dated 27.07.2023 and to register the FIR. This Court, by its order dated 13.02.2024, disposed of the said petition with a direction to the respondent Police to act as per the



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direction of the learned District Munsif cum Judicial Magistrate. Even thereafter, the respondent has not registered the petitioner's complaint. Therefore, the petitioner has filed this contempt petition.

2. When this contempt petition is taken up for hearing, the learned Additional Public Prosecutor has produced a copy of the FIR registered on the petitioner's complaint in Crime No.35 of 2025 dated 03.07.2025.

3. The learned counsel appearing for the petitioner submits that this contempt petition has been filed by the petitioner on 19.06.2025 and the same has been listed for hearing before this Court today. On knowing the filing of the contempt petition, the respondent Police has registered the case in Crime No.35 of 2025 on 03.07.2025. The copy of the FIR is also placed before this Court.

4. From the reading of FIR in Crime No.35 of 2025, it appears that the case in Crime No.35 of 2025 has been registered on 03.07.2025 for the offence under Sections 294(b), 498(A) of IPC and Sections 3(1) and 6 of Dowry Prohibition Act, 1961. While column 3(a) refers the date of

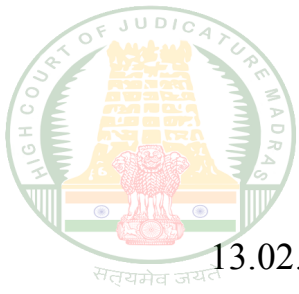


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occurrence on 27.05.2022, column 3(b) refers the information received at Police Station on 03.07.2025.

5. Though the complaint has been lodged by the petitioner on 27.02.2023, in order to suppress the mistake committed by the respondent Police, they have shown the column 3 of the FIR as if the complaint has been lodged on 03.07.2025. This would certainly affect the case of the petitioner.

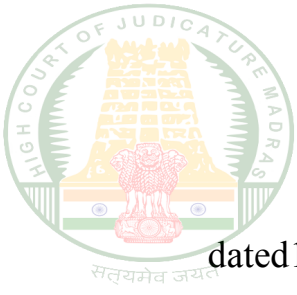
6. The petitioner claims that she has lodged a complaint before the respondent Police on 27.02.2023 and thereafter, she filed a complaint before the learned District Munsif cum Judicial Magistrate, Boothapandi, under Section 156(3) Cr.P.C. in Cr.M.P.No.1346 of 2023 and by order dated 27.07.2023, the petitioner's complaint was also forwarded to the respondent for enquiry. Even after the direction of the learned District Munsif cum Judicial Magistrate, the petitioner's complaint has not been enquired by the respondent Police. Therefore, the petitioner has moved a petition before this Court in CrI.O.P.(MD)No.2157 of 2024. When the petition in CrI.O.P.(MD)No.2157 of 2024 came up for hearing on



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13.02.2024, a stand has been taken by the respondent Police that the petitioner is residing at Chennai and since she has not co-operated for enquiry, they have not registered the petitioner's complaint. This Court, by its order dated 13.02.2024, issued a direction to the respondent Police to act as per the direction of the the learned District Munsif cum Judicial Magistrate, Boothapandi, within a period of two weeks from the date of receipt of a copy of the order. Even after the order of this Court, the respondent Police has not taken any steps. Therefore, the petitioner is constrained to file this contempt petition.

7. Considering the manner in which the petitioner's complaint has been dealt with by the respondent Police, this Court is inclined to allow this contempt petition with cost of Rs.10,000/- (Rupees ten thousand) which has to be paid by the Superintendent of Police, Kanyakumari District, to the petitioner, from the SR Fund (Special Reserve Fund) and also recover the same from the concerned Inspector of Police, who failed to take action on the petitioner's complaint even after the direction of the learned District Munsif cum Judicial Magistrate, Boothapandi and also after the orders of this Court in CrI.O.P.(MD)No.2157 of 2024



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dated 13.02.2024.

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8. This Court also expects the Superintendent of Police to transfer the case from the file of the All Women Police Station, Nagercoil, Kanyakumari District and entrust the investigation to any other sincere Investigation Officer.

9. Accordingly, this Contempt Petition is allowed.

04.07.2025

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NCC : Yes / No.

Index : Yes . No.

Internet: Yes / No.

To

1. The Superintendent of Police,
Kanyakumari District,
2. Tmt.A.Vincent Anbarasi,
The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanyakumari District – 629 001.

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B.PUGALENDHI, J.

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