



Cont.P(MD)No.2830 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.01.2025

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Cont.P(MD)No.2830 of 2024

P.Chandrasekaran

... Petitioner

Vs

Udayakumar,
The Deputy Superintendent of Police,
(Rural) Vallinachiyar Compound,
Dindigul.

... Contemnor / Respondent

Prayer : This Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the respondent for deliberately disobeying the direction of this Court issued in Crl.O.P(MD)No.11730 of 2023, dated 30.06.2023.

For Petitioner : Mr.V.R.Venkatesan

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.)



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ORDER

This Contempt Petition is filed to punish the respondent for deliberately disobeying the direction of this Court issued in CrI.O.P(MD)No.11730 of 2023, dated 30.06.2023.

2. The facts in brief is that the petitioner filed CrI.O.P(MD)No. 11730 of 2023, seeking a direction to the respondent herein to register a First Information Report on the basis of the order passed by the learned Judicial Magistrate, Dindigul in Cr.M.P.No.15241 of 2022 and contended that without conducting preliminary enquiry under the Special Act, the complaint was closed by the Inspector of Police, Taluk Police Station, Dindigul, as mistake of fact. He is not a competent person to make investigation for the offences under the Special Act. After hearing both sides, a direction was issued to the respondent to reopen the complaint and forward the same to the second respondent namely the Deputy Superintendent of Police, Dindigul, who is the respondent herein to conduct enquiry and the enquiry process was ordered to be completed within a period of seven days. Stating that there is a willful disobedience



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of the order passed by this Court by the respondent herein, this contempt petition is filed.

3. Heard both sides.

4. The main grievance of the petitioner is that no proper investigation was taken by the respondent herein by sending proper summons.

5. Per contra, the respondent has produced the enquiry file, mentioning the statement recorded from the witnesses and the summons issued to the petitioner herein.

6. On going through the records, contempt petitioner submitted that summons were issued only subsequent to the closing and not earlier to that.

7. But perusal of the enquiry file does not support the contention of the contempt petitioner. In fact, the respondent has submitted that the



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complaint itself is a motivated one based upon a wrong information and in fact, the petitioner's son was indulged in causing damage to the house of proposed accused. Suppressing the real fact, the complaint was given. I am not entering into the above said factual grounds now. Since the complaint itself has been closed after conducting private enquiry, the only available remedy for the revision petitioner is to file a proper complaint. So the request made by the contempt petitioner to again reopen the complaint and ordering reinvestigation does not arise.

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

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

23.01.2025

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- 1.The Deputy Superintendent of Police,
(Rural) Vallinachiyar Compound, Dindigul.



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G.ILANGO VAN, J.

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