



CONT.P.(MD)No.2180 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED: 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.2180 of 2024
in
Crl.OP(MD) No.10993 of 2024

B.Sindhunaga

...Petitioner

Vs

J.K.Gopi,
Inspector of Police,
Aravakuruchi Police Station,
Karur District,
Karur.

...Contemnor

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to punish the Contemnor/Respondent for his deliberate and willful disobedience of the order of this Court, made in Crl.OP(MD) No.10993 of 2024, dated 22.07.2024.

For Petitioner

:Mr.Syed Ibrahim for
Mr.S.Mohamed Azharudeen Sharof

For Respondent

:Mr.T.Senthil Kumar
Additional Public Prosecutor



CONT.P.(MD)No.2180 of 2024

WEB COPY

ORDER

This contempt petition has been filed that the order of this Court in Crl.OP(MD) No.10993 of 2024, dated 22.07.2024 has not been complied with.

2.The petitioner with a grievance that the complaint of this petitioner has not been attended by the respondent police even after the direction of the learned Judicial Magistrate in Crl.MP.No. 383 of 2024, dated 27.06.2024, has filed the above Criminal Original Petition and the same was disposed of by this Court, by its order, dated 22.07.2024 as under.

"3.The learned Additional Public Prosecutor submits that there is dispute between the petitioner and her in-laws. Though the learned District Munsif cum Judicial Magistrate, Aravakuruchi, Karur, referred the complaint for an enquiry by order dated 27.06.2024, the same was forwarded to the respondent police only on 06.07.2024. Further, he referred to the endorsement made in the orders by the learned District Munsif cum Judicial



WEB COPY



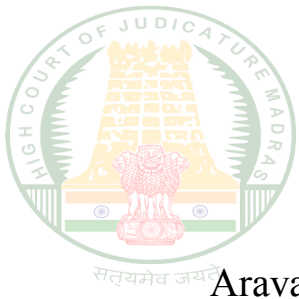
CONT.P.(MD)No.2180 of 2024

Magistrate, Aravakurichi, Karur, on 27.06.2024 that the learned Judicial Magistrate had suggested to conduct a petition enquiry and to conclude the petition enquiry within a period of four weeks. Since the complaint was forwarded only on 06.07.2024, the respondent police are conducting a petition enquiry and they will conclude the enquiry within a period of one month.

4.Recording the submission of the learned Additional Public Prosecutor, this Criminal Original Petition is closed. The respondent police is expected to conduct a fair and proper enquiry and the Station House Officer shall ensure that proper enquiry has been conducted."

3.Now, this contempt petition is filed that the above order of this Court has not been complied with.

4.The learned Additional Public Prosecutor has entered appearance for the respondent and submits that the order of this court has been complied with and the report has also been filed before the learned District Munsif cum Judicial Magistrate,



CONT.P(MD)No.2180 of 2024

WEB COPY

Aravakurichi on 05.08.2024. He also submits that the learned Judicial Magistrate has also issued a notice to the petitioner/defacto complainant, enabling her to file her response. A Counter affidavit to that effect has also been filed in detail by the respondent police, which is as under:-

"I humbly submit that, summons were served to both parties as per CSR No: 179/2024 and the Petitioner herein (Complainant in CSR) received the summons (dated: 06.07.2024 and 12.07.2024) but failed to report for enquiry. Subsequently, summons was sent by Registered Post with A/D (on 19.07.2024) and the post was returned with the endorsement "Refused The respondents appeared for enquiry on 11.07.2024 and had given a written statement in which they had alleged that they had returned from hospital at Coimbatore on 25.04.2024 at 21.30 hrs to their home and at that time the complainant had come there and abused them and threatened them and went away. Based on the preliminary enquiry conducted, it was learnt that the Petitioner herein had given false complaint alleging incidents that were fictitious in order to wreck vengeance on her in laws for executing a settlement deed prejudicial to her interests. Further, the property dispute is



WEB COPY



CONT.P(MD)No.2180 of 2024

subject matter of Writ Petition W.P. (MD).No: 1382/2024 pending before this Hon'ble High Court. Hence, a negative report (dated: 02.08.2024) was filed before the learned District Munsif cum Judicial Magistrate, Aravakurichi on 05.08.2024 in compliance of the order dated 27.06.2024 (received on 06.07.2024) made in Crl.M.P. No: 383/2024. Hence, the Respondent Police have complied with the orders of the learned District Munsif cum Judicial Magistrate, Aravakurichi and therefore it is evident that the Respondent police have also complied with the directions of this Hon'ble Court and therefore 'contempt of court' as alleged does not arise.

I respectfully state that, it is pertinent to note that, at the time of hearing on 16.08.2024, the Petitioner herein had not contested the negative report instead sought the learned Magistrate's direction to the Respondent Police that when the Petitioner herein reports for the enquiry only the Inspector of Police should enquire her and sought time to get appropriate orders from this Hon'ble Court. Matter was gain adjourned for the same reason and posted next on 25.10.2024 at the request of the Petitioner Counsel. It is evident that the Petitioner herein is employing delay tactics in order to prolong the pendency of criminal



WEB COPY



CONT.P(MD)No.2180 of 2024

proceedings for ulterior motives. The chronology of events are tabulated hereunder:

Date	Case Particulars	Remarks
01.05.2024	CSR No: 179/24 issued	Preliminary enquired conducted reveals that facts alleged are false.
03.05.2024	Both the Complainant and Respondents orally called for enquiry.	Complainant and Respondents appeared for enquiry. Respondents gave written statement and denying the false allegation. But Complainant refused to give statement regarding the enquiry.
27.06.2024	Orders in CrI.M.P No: 383/2024JM/Aravakurichi	To complete enquiry within 4 weeks and if prima facie made out to register FIR- else to file report under intimation to complainant
06.07.2024	Order copy CrI.M.P No: 383/2024 received	(I) Summons sent Both the parties received the summons.
11.07.2024	Enquiry conducted	Complainant and Respondents – Present-Respondents submitted Hospital documents and gave oral statement alleging the quarrel by the complainant and false allegation. Complainant refused to give written statement.
19.07.2024	(I) Summons sent to Complainant	By Registered Post with Ack Due RT834658005IN
22.07.2024	CrI.O.P.(MD). No: 10993/2024	Respondent Police informed that enquiry would be completed within 4 weeks-recording the submission CrI.O.P- Closed
23.07.2024	(III) Summons sent to Complainant returned	Refused by the Complainant -Returned with postal remark Party Refused Return sender.
05.08.2024	Report filed before JM/Aravakurichi in CrI.M.P No: 383/2024	Report filed within 4 weeks /JM Orders Complied/ Hon'ble High Court directions complied.



WEB COPY



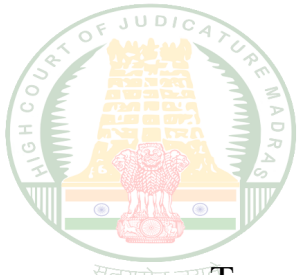
CONT.P(MD)No.2180 of 2024

I humbly submit that, the Respondent Police have discharged their duties as per the directions of this Hon'ble Court. The orders of the Learned District Munsif cum Judicial Magistrate, Aravakurichi made in Crl.M.P.No: 383/2024 relating to CSR No: 179/2024 has been complied and report filed on 05.08.2024 (within the stipulated time) and hence there no contempt of Court is made-out, as alleged.

5. Being satisfied with the reasons assigned by the respondent police in their counter affidavit as stated above, this contempt petition is closed. The petitioner is at liberty to work out his remedy in the manner known to law, by filing necessary application before the learned Judicial Magistrate.

28.03.2025

Index: Yes/No
Internet: Yes/No
vrn



CONT.P(MD)No.2180 of 2024

To
WEB COPY

J.K.Gopi,
Inspector of Police,
Aravakuruchi Police Station,
Karur District,
Karur.



WEB COPY



CONT.P.(MD)No.2180 of 2024

B.PUGALENDHI, J.

vrn

Order made in
CONT.P.(MD)No.2180 of 2024
in
CrI.OP(MD) No.10993 of 2024

28.03.2025