



Cont.A.(MD) No.13 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2025

CORAM

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND

THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

Cont.A.(MD) No.13 of 2017

and

C.M.P.(MD) No.4788 of 2017

1.Arulkumar

2.Jeyamani

3.Chandrasekaran

4.Pon Ramaraj @ Ponram Rajaa

5.Arulgani @ Arulkauni Rajaa

... Appellants

Vs.

Mrs.Jeyarani

The Inspector of Police,

All Women Police Station,

Bodinayakanur,

Theni District.

(Crime No.8 of 2015)

... Respondent

Prayer : Contempt Appeal filed under Section 19 of the Contempt of Courts Act, 1971 to call for the records in the order passed in Cont.P. (MD) No.1063 of 2016 in M.P.(MD) No.1 of 2015 in Crl.O.P.(MD) No. 12984 of 2015 by an order dated 03.11.2016 and set aside the same.



Cont.A.(MD) No.13 of 2017

For Appellants : Mr.Thirukumaran
for Mr.S.Ramasamy

For Respondent : No appearance

J U D G M E N T

[Judgment of the Court was made by **DR.G.JAYACHANDRAN, J.**]

This Contempt Appeal is filed by the petitioners in a quash petition in CrI.O.P.(MD) No.12984 of 2015, wherein the learned Single Judge of this Court had passed an interim order in M.P.(MD) No.1 of 2015 in CrI.O.P.(MD) No.12984 of 2015 permitting the investigation to go on but not to file the final report. This order was passed on 13.07.2015.

2. Despite the restriction order not to file the final report, the Investigating Officer had filed the final report and the same has been taken on file as C.C.No.114 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Bodinayakanur.

3. Therefore, alleging that the act of the Investigating Officer is a contemptuous disobedience of the court order, the Contempt Petition in



Cont.A.(MD) No.13 of 2017

Cont.P.(MD) No.1063 of 2016 was filed to take action against the Investigating Officer under the Contempt of Courts Act, 1971. The learned Single Judge, who went through the file and the counter affidavit, had closed the contempt petition recording the filing of the final report.

4. This Contempt Appeal is filed contending that the act of contempt was due to the disobedience of the order passed by the learned Single Judge of this Court in M.P.(MD) No.1 of 2015 in CrI.O.P.(MD) No.12984 of 2015; that while so, the violation itself was recorded by the compliance of the court order and the contempt petition was closed without application of mind; that though the FIR was registered against the appellants/petitioners for the offences punishable under Sections 498-A, 417 and 120-B of the Indian Penal Code, 1860 read with Section 4 of the Dowry Prohibition Act, 1961 and Sections 109 and 34 of the Indian Penal Code, 1860, the final report was filed only for the offences punishable under Section 498-A of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961 by deleting the other offences; and that when there was an order not to file the final report, the Investigating Officer had violated the order, which has not been properly considered by the learned Single Judge in the Contempt Petition.



Cont.A.(MD) No.13 of 2017

WEB COPY 5. This Court, on perusal of the records, finds that the interim order not to file the final report was passed by this Court on 13.07.2015, whereas the counter affidavit filed by the contemnor in the contempt petition indicates that the charge sheet was filed before the learned District Munsif cum Judicial Magistrate, Bodinayakanur on 18.07.2015 and the same was taken cognizance of by the Judicial Magistrate on 24.08.2015; that the communication of the interim order passed by this Court in M.P.(MD) No.1 of 2015 in CrI.O.P.(MD) No.12984 of 2015 was received by her on 15.09.2015; that she has not committed wilful contempt; and that she filed the final report without knowledge of the interim order. She also rendered an unconditional apology and sought to be purged from the contempt proceedings.

6. Taking note of the fact that the contemnor has rendered an unconditional apology and also that there is a lack of information about the interim order, we are bound to extend the benefit of doubt and purge the respondent/contemnor from the contempt.



Cont.A.(MD) No.13 of 2017

WEB COPY 7. Hence, we dispose of this Contempt Appeal. Consequently, the connected Miscellaneous Petition is closed.

[G.J., J.] & [K.K.R.K., J.]

03.12.2025

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non Speaking Order



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Cont.A.(MD) No.13 of 2017

DR. G. JAYACHANDRAN, J.

AND

K.K. RAMAKRISHNAN, J.

JEN

Cont.A.(MD) No.13 of 2017

03.12.2025