Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

CONT P No. 3789 of 2026

CNR:{HCMA011967552026}

K.Premkumar
S/o.Late.Kazhagamani, No.1/168, East Street, Agaram Sigoor (Village and Post), Kunnam Taluk,
Perambalur District - 621 108.

Petitioner(s)

Vs

Nalini
The Inspector of Police, Mangalamedu Police Station, Perambalur
District - 621 115.

Contemnor(s)

PRAYER

Pleased to initiate contempt proceeding against Respondent wilful, and deliberate disobedience of the interim order dated 27.03.2024 and order dated 29.01.2026 passed by the Honble High Court of Judicature at Madras, Crl.M.P.No.5442 of 2024 in Crl.O.P.No.7491 of 2024 and Punish the Respondent in accordance with the contempt of courts Act 1971 for disobeying the order of this court.

For Petitioner(s): Mr.P.Bakiyaraj

For Contemnor(s): Mr.M.Dinesh
Public Prosecutor(Crl.Side)

https://www.mhc.tn.gov.in/judis

Order QR

WEB COPY

ORDER

This contempt petition has been filed to punish the respondent for disobedience of the interim order passed by this Court which has not been complied with.

2.When the matter was taken up for hearing today, Mr.L.Chelladurai, Inspector of Police, Mangalamedu PS, Perambalur District, was present. Affidavit of inspector of police was also placed before this Court and the relevant portions are extracted hereunder:

> 9. It is respectfully submitted that, after completion of the investigation, the then Investigating Officer prepared and filed the final report/charge sheet before the learned Judicial Magistrate, Kunnam, and the same was taken on file as C.C.No.434 of 2025 on 26.11.2025. However, the said charge sheet came to be filed inadvertently during the subsistence of the interim stay granted by this Hon'ble Court. The said filing occurred solely due to a communication gap and the fact that the subsisting interim stay order had not been brought to the attention of the concerned Investigating Officer at the relevant time. Consequently, the charge sheet was filed without due notice being taken of the interim order passed by this Hon'ble Court. I respectfully submit that the said lapse was neither wilful nor deliberate and was not intended to violate or disregard the order of this Hon'ble Court. I

https://www.mhc.tn.gov.in/judis

Order QR

WEB COPY

deeply regret the inadvertent omission and humbly submit that the same may kindly be viewed in the light of the bona fide circumstances explained herein.

10. It is further respectfully submitted that, when Crl.O.P.No.7491 of 2024 came up for hearing on 29.01.2026, this Hon'ble Court was pleased to pass an order directing that the interim order already granted should continue until the disposal of the Criminal Original Petition. The relevant portion of the order reads as follows:

"3. In view of the above, the interim order granted by this Court shall continue till the disposal of the Criminal Original Petition."

In view of the above orders, the interim stay granted by this Hon'ble Court continued to remain in force. I respectfully submit that the filing of the charge sheet during the subsistence of the said order was an inadvertent procedural lapse arising out of a communication gap and not an act of wilful disobedience or deliberate defiance of the authority of this Hon'ble Court. It is further submitted that, the order passed by the Hon'ble High court in Crl.O.P.No.7491 of 2026 dated 29.01.2026, was duly communicated to the Learned Judicial Magistrate, Kunnam.

11. It is respectfully submitted that, on 30.07.2026, when Crl.O.P.No.7491 of 2024 came up for hearing before this Hon'ble Court, this Hon'ble Court was pleased to pass the following order:

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

"5.The case is referred for mediation to the Chairman, District Mediation Centre, Perambalur.

6. The first date of mediation will be on 11.08.2026 at 03.30 P.M.

7. Even though, normally, 60 days time will be given to mediate, in this case, attempt for mediation as quickly as possible and send a report to this Court by 15.09.2026."

12. It is respectfully submitted that, in compliance with the aforesaid order dated 30.07.2026, the respondent police facilitated the reference of the matter to the District Mediation Centre, Perambalur. Accordingly, on 12.08.2026, both parties appeared before the District Mediation Centre for mediation. However, the accused persons were not willing to arrive at a compromise and stated that they would pursue their remedies before the appropriate Court.

13. It is respectfully submitted that I have the utmost respect for the orders of this Hon'ble Court and have never intended to act in disregard of its authority. The filing of the charge sheet during the subsistence of the interim stay was an inadvertent consequence of a communication gap and not a deliberate attempt to proceed with the investigation in defiance of the order of this Hon'ble Court. I sincerely regret the said nee and assure this Hon'ble Court that due care will be taken to ensure strict compliance with all judicial orders and directions.

https://www.mhc.tn.gov.in/judis

Order QR

WEB COPY

2.It is clear from the above affidavit that the charge sheet/final report has been filed when the order of stay was in operation. The final report has also been taken cognisance by the learned Judicial Magistrate, Kunnam in CC.No.434 of 2025. This final report filed by the respondent and the cognizance taken, is non-est in the eye of law in the teeth of the order of interim stay passed by this Court pending the criminal original petition. Hence, the proceedings in CC.No.434 of 2025, on the file of the learned Judicial Magistrate, Kunnam, is quashed. Depending upon the final result in Crl.OP.No.7491 of 2024, filed to quash the FIR, further course of action can be taken in this case.

3.This Contempts Petition is closed in the above terms.

30-10-2026

kp

To

Ms.Nalini
The Inspector of Police, Mangalamedu
Police Station, Perambalur District -
621 115.

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

N.ANAND VENKATESH J.

kp

CONT P No. 3789 of 2026

30-10-2026

https://www.mhc.tn.gov.in/judis