

**IN THE COURT OF JUDICIAL MAGISTRATE NO.II, MADURANTAKAM**

**PRESENT: Tmt.J.Madhumitha, B.A.B.L.(Hons)., L.L.M.,  
Judicial Magistrate No.II, Madurantakam**

On Thursday, this the 26<sup>th</sup> day of September 2024

**C.M.P.No.813/2024  
in  
MC 1/2020**

1. Suriya

2. Minor Kaviya

rep. By his mother Suriya

... Petitioners/ Petitioners

**- vs -**

Venkatesan

...Respondent/Complainant

**ORDER**

1. This petition filed to punished for not complying the order of the Honourable High Court of Madras and sent him to prison.

2. It is the content of the petition that, the respondent - Venkatesan failed to comply the order passed by the Honourable High Court at Madras in CrI.R.C.No.948/2024 dated 10.06.2024. The respondent - Venkatesan did not return 10 sovereigns gold to the petitioner and directed the respondent to produce the necessary proofs for returning the articles to the petitioner. In spite of the order of the Honourable High Court of Madras, the respondent – Venkatesan has not come for handover the gold jewels worth of 10 sovereigns. The respondent is willfully and wantonly disobeying the order of the Honourable Court inspite of several chances are given to him and hence this petition prayed to respondent – Venkatesan is to punished for not complying the order of the Honourable High Court of Madras and sent him to prison.

3. It is countered by the Respondent/Respondent failed to comply the order passed by the Honourable High Court at Madras in CrI.R.C.No.948/2024 dated 10.06.2024 is totally false. After the order passed in CrI.R.C.No.948/2024, the respondent immediately filed an extension petition before this Honourable Court seeking time to return the jewels. The real fact is all the jewels are within the custody of the petitioner. The petitioner filed a return of property petition before this Honourable Court and get an order. But the respondent obeys

the order of this Honourable Court and Honourable Madras High court and so he seeks time to purchased new jewels from this Meager salary amount and return it to the petitioners. Since, he has no sufficient income and wealth. He was unable to purchase 10 sovereign of gold to return it to the petitioner and so the respondent filed a time extension petition before this Honourable Court on 04.07.2024 which has been numbered as 530/2024 and it is still pending before this Honourable. By suppressing the above time extension petition and not filing any counter to the above petition, the petitioner filed this petition with intent to mentally harass this respondent and hence prays for dismissal of this petition.

4. Point for determination is, whether to allow this petition or not.

5.

Directly dictated by me, to the Steno- typist corrected and pronounced by me in the open court on this the 26<sup>th</sup> day of September 2024.

**Judicial Magistrate No.II,  
Madurantakam**