

**In Re: A.K. Prakash**

**In Re: A.K. Prakash**

**SooperKanoon Citation :** [sooperkanoon.com/726461](http://sooperkanoon.com/726461)

**Court :** Kerala

**Decided On :** Nov-07-1994

**Reported in :** 1995CriLJ1663

**Judge :** M.M. Pareed Pillay, Actg. C.J. and; T.V. Ramakrishnan, J.

**Acts :** [Contempt of Courts Act, 1971](#) - Sections 2

**Appeal No. :** Contempt of Court Case No. 311 of 1994 (Suo Motu)

**Appellant :** In Re: A.K. Prakash

**Advocate for Def. :** V.V. Asokan, Adv.

**Judgement :**

M.M. Pareed Pillay, Actg. C.J.

1. Contempt proceedings have been initiated against the respondent. He filed C.M.A. 126 of 1994 and when he did not get any relief he suppressing the fact of filing of that C.M.A filed C.M.A. 169 of 1994. Considering that action as interference with the due course of judicial proceedings, charge was framed under Section 2(c)(ii) of the [Contempt of Courts Act, 1971](#).

2. On receipt of notice, respondent filed an affidavit offering unconditional apology.

3. On a consideration of the facts leading to the framing of the charge and the contents of the affidavit filed by the respondent we are satisfied that filing of

C.M.A. 169 of 1994 after the dismissal of C.M.A. 126 of 1994 against one and the same order was an abuse of the process of the Court calculated to interfere with the due course of judicial proceedings of this Court and the administration of justice and amounts to criminal contempt of Court of a serious nature. As such though the respondent has tendered an unconditional apology, we are convinced that the conduct of the respondent deserves condemnation by the imposition of a sentence of fine. We would accordingly sentence the respondent with a fine of Rs. 100/- to be paid within two weeks from today.

The contempt proceedings is closed.

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**