



2025:KER:61884

CONT.CAS.(CRL.) NO. 5 OF 2023

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

&

THE HONOURABLE MR.JUSTICE K. V. JAYAKUMAR

MONDAY, THE 18TH DAY OF AUGUST 2025 / 27TH SRAVANA, 1947

CONT.CAS. (CRL.) NO. 5 OF 2023

PETITIONER:

SUO MOTU

HIGH COURT OF KERALA ERNAKULAM, PIN - 682031

RESPONDENT:

BY ADVS.

SRI.S.S.ARAVIND

SHRI.G.SREEKUMAR (CHELUR)

THIS CONTEMPT OF CASE (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 18.08.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT****Raja Vijayaraghavan V, J.**

This Contempt Case has been initiated suo motu against the respondent, who is an Advocate practising in the Ettumanoor Bar for disrupting the proceedings of the Judicial First Class Magistrate, Ettumanoor, and thereby interfering with the due course of judicial proceedings.

2. The short facts, in brief, are that on 02.02.2023, the respondent, being aggrieved by the dismissal of the bail applications filed by him, raised his voice before the Judicial First Class Magistrate-I, Ettumanoor. He is stated to have berated the Court in an ill-mannered and intemperate fashion. It is further alleged that the respondent, by shouting in open court, disrupted the court proceedings, making it impossible for the learned Magistrate to carry on with the proceedings in an orderly manner and thereby obstructed the due administration of justice.

3. Under Rule 14 (a) of the Contempt of Courts (High Court of Kerala) Rules, 1988, if the respondent tenders an unconditional apology after admitting that he has committed the contempt, the court may proceed to pass such orders as deems fit.

4. By order dated 03.07.2025, the respondent was directed to appear in person.

5. On 09.07.2025, the respondent appeared in person and submitted



that he intends to file an unconditional apology in terms of Rule 14(a) of the Contempt of Courts (High Court of Kerala) Rules, 1988. He submitted that he is an Advocate practising at the Kottayam Bar for more than 25 years, and that he never intended to exhibit any indignation or disrespect towards the Court. He further affirmed that he bears absolute responsibility to uphold the dignity and authority of the judicial institution. The respondent also stated that his wife is an Advocate practising at the Kottayam Bar.

6. After hearing the respondent and his counsel, we granted him an opportunity to tender an unconditional apology. He has filed an affidavit on 19.07.2025 wherein he has stated as under:

"3. I understand that my behaviour before the Hon'ble Court on 02.02.2023 while appearing in the aforementioned bail application seems to be perceived by the Hon'ble Judge as showing indignation and disrespect, which I never intended. I would like to clarify that no such intent was ever harboured on my part. Being an officer of the court, I realise that I hold absolute responsibility to uphold the dignity of the judicial institution.

4. Hence, I hereby tender an unconditional apology, and I swear that I shall uphold the sanctity and dignity of this institution all along. I do not hesitate to bow down to the authority of the court and tender an apology unconditionally with all humility and with a sense of responsibility as an officer of this court. I sincerely regret the inconvenience, displeasure, and disrespect caused to the court due to my behaviour, which I never intended at any point in time. I once again render my unconditional and sincere apology and beg to relieve me from the contempt proceedings."



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7. We are satisfied that the apology aforesaid of the respondent is in tune with the requirement of Rule 14(a) of the Contempt of Courts (High Court of Kerala) Rules, 1988. In that view of the matter, we accept the unconditional apology tendered by the respondent/contemnor and he is discharged.

This Contempt Case is closed.

Sd/-

RAJA VIJAYARAGHAVAN V

JUDGE

Sd/-

K. V. JAYAKUMAR

JUDGE

msp



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APPENDIX OF CONT.CAS. (CRL.) 5/2023

PETITIONER ANNEXURES

ANNEXURE A LETTER DATED 02/02/2023 FROM JFCM I,
ETTUMANOOR

ANNEXURE B LETTER DATED 28/04/2023 FROM DISTRICT JUDGE,
KOTTAYAM

RESPONDENT ANNEXURES

ANNEXURE-R1 (A) TRUE COPY OF THE LETTER DATED 13/06/2023
SUBMITTED BY THE 1ST RESPONDENT

ANNEXURE-R1 (B) TRUE COPY OF REPLY DATED 10/07/2023 SUBMITTED
BY THE RESPONDENT TO THE HON'BLE REGISTRAR
(DISTRICT JUDICIARY)