



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**  
**DATED THIS THE 10<sup>TH</sup> DAY OF JUNE, 2026**  
**BEFORE**  
**THE HON'BLE MR. JUSTICE RAVI V HOSMANI**  
**CRIMINAL PETITION NO.3772 OF 2019**

**BETWEEN:**

SRI RAMJI GOVINDARAJAN  
S/O SRI GOVINDARAJAN SOUNDARAJAN  
AGED ABOUT 36 YEARS,  
R/A NEW NO.89(OLD NO.55)  
PANTHEON ROAD,  
EGMORE, CHENNAI-600 008.  
CURRENTLY R/A NO.126  
PARK LAKE CIR APTC  
WALNUT CREEK  
CALIFORNIA-94598-5204  
UNITED STATES OF AMERICA (USA)  
REP BY HIS GPA HOLDER  
SRI GOVINDARAJAN SOUNDER RAJAN,  
(OLD NO.55, PANTHEON ROAD,  
EGMORE, CHENNAI - 600 008).

...PETITIONER

Digitally signed  
by ANUSHA V (BY SRI AJITH ANAND SHETTY, ADVOCATE)

Location: High  
Court of  
Karnataka

**AND:**

1. STATE OF KARNATAKA  
BY SPECIAL (CYBER CRIME) CELL  
BANGALORE POLICE  
BY THE INVESTIGATING OFFICER.
2. DR GEETHA MURALI GANESH  
W/O DR MURALI GANESH KODOOR  
AGED ABOUT 58 YEARS,  
R/O NO.119, LADIES MILE,  
ELLERSLIE, AUCKLAND 1051  
NEW ZEALAND



TEMPORARILY R/A  
NO.82, 5<sup>TH</sup> CROSS,  
3<sup>RD</sup> MAIN ROAD,  
R.M.V. 2<sup>ND</sup> STAGE,  
BANGALORE-560 094.

...RESPONDENTS

(BY SMT. SOUMYA R., HCGP FOR R1;  
SRI K. CHANDRAMOHAN, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.P.C PRAYING TO SET ASIDE THE ORDER DATED 28.07.2018, PASSED BY THE LEARNED I A.C.M.M., AT BENGALURU IN AS MUCH AS HAVING ISSUED PROCESS IN CR.NO.50/2016, BASED ON A COMPLAINT ALLEGING OFFENCES P/U/S 500,501,502,509 AND 120B R/W 34 OF IPC AND SECTION 67A OF THE INFORMATION TECHNOLOGY ACT AND THEREBY BE PLEASED TO QUASH ALL FURTHER PROCEEDINGS HEREIN.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

**ORAL ORDER**

Challenging Order dated 28.07.2019 passed by I Addl. Chief Metropolitan Magistrate, Bengaluru in Crime no.50/2016 on rejecting 'B' report filed by respondent and continuing proceedings for offences punishable under Sections 501, 502, 509, 120B read with Section 34 of Indian Penal Code, 1860



('IPC') and Section 67 (A) of Information Technology Act, 2000 ('Act'), this petition is filed.

2. Sri Ajith Anand Shetty, learned counsel for petitioner (accused no.1) submitted that respondent no.2 (complainant) was petitioner's mother-in-law. It was submitted, petitioner who was a resident of United States of America ('USA') for more than a decade while complainant was a resident of New Zealand. That marriage of petitioner with complainant's daughter was solemnized on 25.03.2012 at Chennai, Tamil Nadu and registered under provisions of Tamil Nadu Marriage Registration Act. From wedlock, a son was born to wedded couple on 04.07.2014. However, differences cropped up and from 06.07.2014 onwards, they were residing separately. Thereafter, petitioner had filed petition for dissolution of marriage and custody of son before Superior Court of California, County of Contra Costa which was contested.

3. In order to avoid disruption of marriage, parents of petitioner sought to intervene. Enraged, a false complaint was filed by complainant against petitioner parents, constraining



them to approach High Court of Andhra Pradesh for anticipatory bail. But when produced before Magistrate Court at Bengaluru they were remanded to judicial custody. After their release, petitioner's father-in-law filed a private complaint against petitioner and his parents alleging offences punishable under Section 120B, 420, 498A read with Section 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961 ('**DP Act**'). Same was registered in Crime no.106/2015 by Sanjay Nagar Police Station. They were challenged in Criminal Petition no.880/2016, disposed of on 22.03.2016, quashing proceedings primarily on ground of lack of territorial jurisdiction.

4. It was submitted, even proceedings were initiated under Section 12 of Protection of Women from Domestic Violence Act, 2005, which was set at naught in Criminal Petition no.1597/2018 disposed of on 27.01.2020 by this Court. It was submitted that to heap vengeance against accused, complainant - mother-in-law of petitioner resorted to filing false complaint on 10.02.2016 as per Document no.7 for offences punishable under Section 500, 501, 502, 509, 120B read with Section 34 of IPC and Section 67A of Act.



5. It was submitted, bare perusal of complaint itself indicated that incident alleged was posting of reviews on website, alleging same to be defamatory. Attention of this Court was drawn to para-24 of complaint, wherein complainant clearly stated that IP addresses of system from which reviews were posted were allegedly located at Walnut Creek, California, USA. It was submitted, petitioner being a resident of USA, complainant being a resident of New Zealand, no part of cause of action could be claimed to have occurred within jurisdiction for justifying registration of proceedings. Even police after investigation had filed 'B' report. One of reasons mentioned by Investigating Officer in his 'B' report was lack of jurisdiction to initiate criminal proceedings. On filing of 'B' report, protest petition was filed by complainant and on examination, documents were got marked. However at time of consideration, learned Trial Judge did not traverse said reason. On bare recording of existence of *prima facie* material, cognizance of offence was taken.

6. Absence of territorial jurisdiction would go to root of matter. Therefore, trial Court ought to have traversed same.



Further between same parties, this Court in Criminal Petition no.880/2016 had set at naught other criminal proceedings initiated under similar circumstances on ground of territorial jurisdiction. Therefore continuation of impugned proceedings was abuse of process and sought for quashing.

7. On other hand, Smt.Soumya R., learned HCGP for respondent no.1 sought to support order. It was submitted that after recording statement of complainant and production of documents, *prima facie* material was found and cognizance of offences was taken.

8. There is no representation for respondent no.2.

9. Heard learned counsel, perused impugned order as well as material on record.

10. At outset, there is no dispute that in pursuance of a complaint, Crime no.50/2016 was registered, in which, police after investigation had filed 'B' report. One of reasons cited was lack of jurisdiction. Though proper procedure on filing of 'B' report namely providing opportunity to complainant to substantiate allegation was granted and thereafter matter was



heard on acceptability and impugned order was passed, trial Court did not traverse lack of territorial jurisdiction.

11. Perusal of contents of complaint reveals allegation is about posting of alleged defamatory reviews against complainant on website from IP addresses not located in India and even complainant is admittedly not a resident of India but of New Zealand, while accused is residing in USA. Thus substantial question going to root of matter would be whether Sanjay Nagar Police would have territorial jurisdiction to investigate matter and register crime.

12. Apart from above, there antecedents of matrimonial disturbance between accused and his wife on a complaint filed by husband of complainant. In said matter, this Court took note of fact that alleged incident had occurred beyond territorial jurisdiction of Courts at Bangalore, that complainant's daughter was residing with her husband in USA and alleged incident had also occurred outside jurisdiction and quashed proceedings on ground of lack of territorial jurisdiction. On same analogy, impugned proceedings would amount to abuse of process of



Court, if left to continue and ends of justice requires them to be set at naught.

13. Consequently, petition is ***allowed***, impugned order dated 28.07.2019 passed by I Addl. Chief Metropolitan Magistrate, Bengaluru in Crime no.50/2016 is reversed, 'B' report accepted, proceedings in Crime no.50/2016 for offences punishable under Sections 501, 502, 509, 120B read with Section 34 of IPC and Section 67 (A) of Act, are ***quashed***.

**Sd/-  
(RAVI V HOSMANI)  
JUDGE**

GRD  
List No.: 1 Sl No.: 17