

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.Nos.21163 & 21164 of 2015

CRL.OP.No.21163 of 2015

M.Senthil

...

Petitioner

Vs.

1. The Additional Director General of Police,  
CBCID, Chennai.
2. The Commissioner of Police,  
Greater Chennai City Police,  
Veppaery, Chennai - 600 007.
3. The District Superintendent of Police,  
Cuddalore District,  
Cuddalore.
4. The Inspector of Police,  
Cyber Crime Police,  
Veppaery, Chennai - 600 007. .... Respondents

CRL.OP.No.21164 of 2015

M.S.Sushmitha

...

Petitioner

Vs.

1. The Additional Director General of Police,  
CBCID, Chennai.
2. The District Superintendent of Police,  
Cuddalore District,  
Cuddalore.
3. The Inspector of Police,  
All Women Police Station,  
Cuddalore District (Crime No.30/15)... Respondents

PRAYER in Crl.OP.21163 of 2015: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondents to register an FIR on the petitioner's complaint dated 01.06.2015, investigate the same in accordance with law.

PRAYER in Crl.OP.21164 of 2015: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondents to transfer the investigation in Crime No.30 of 2015 on 17.01.2015 on the file of the All Women Police Station, to the first respondent CBCID and further direct the first respondent to file the charge sheet within a stipulated time.

For Petitioners :Mr.M.Balaji  
in both Crl.OP.

For Respondents :Mr.C. Emalias  
in both Crl.OP. Addl. Public Prosecutor

COMMON ORDER

These criminal original petitions have been filed to direct the respondents to register an FIR on the petitioner's complaint dated 01.06.2015, investigate the same in accordance with law and to direct the respondents to transfer the investigation in Crime No.30 of 2015 on 17.01.2015 on the file of the All Women Police Station, to the first respondent CBCID and further direct the first respondent to file the charge sheet.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is the case of the petitioners that the accused in this case had captured obscene video of the girl (who is the petitioner in Crl.OP.21164 of 2015). At that time, both of them were studying in school and that, using the video, he blackmailed her. He is continuing to harass the girl. The respondent police registered a case in Crime No.30 of 2015 and arrested the accused, but, he was produced before the Juvenile Justice Board on the ground that, when he captured the video, he was a juvenile. Though he had captured the video, when he was a juvenile, he is presently using it for blackmailing the petitioner/girl and he is now aged 20 years. Therefore, the police ought not to have treated him as a juvenile.

4. Today, Ms.A.Thamarai Selvi, Inspector of Police, All Women Police Station, Cuddalore, is present before this Court. It is open to Investigating Officer to re-arrest the petitioner in accordance with law, for continuously blackmailing the victim girl even now.

5. It is alleged that the accused is uploading the video online, thereby attracting the provisions of Information Technology Act. The Investigating Officer is directed to investigate those aspects also by requisitioning the service of Competent Officer from the Cyber Crime Department of the police to aid in investigation.

In view of the observations and direction, the criminal original petitions are closed.

sms

s/d-  
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Additional Director General of Police,  
CBCID, Chennai.
2. The Commissioner of Police,  
Greater Chennai City Police,  
Veppaery, Chennai - 600 007.
3. The District Superintendent of Police,  
Cuddalore District,  
Cuddalore.
4. The Inspector of Police,  
Cyber Crime Police,  
Veppaery, Chennai - 600 007.
5. The Inspector of Police,  
All Women Police Station,  
Cuddalore District.
6. The Public Prosecutor  
High Court, Madras.

+ 1 cc to Mr.M.Balaji, Advocate SR 46769

gj(co)  
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CRL.OP.Nos.21163 & 21164 of 2015

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