

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.703 of 2016

B.Moorthi
S/o.t.Balasubramanian,
Trustee,
Sapthagiri Educational Trust,
Administrative Office,
No.31, Madley Road,
T.Nagar, Chennai - 17. Petitioner

Vs

1. The Commissioner of Police,
Cyber Crime Cell,
Commissioner Office Campus,
Egmore, Chennai 600 008.
2. The Assistant Commissioner of Police,
Central Crime Branch,
Commissioner Officer Campus,
Egmore, Chennai 600 008 Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the complaint submitted by the petitioner to the respondents on 03.10.2015 vide Ref.C.No.2470/CCB/Visitors/2015 and further proceed on the said complaint in accordance with law.

For Petitioner : Mr.S.Ashok Kumar, Senior
Counsel for Mr.A.Sasidharan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the respondents to register the complaint given by the petitioner dated 03.10.2015 vide Ref.C.No.2470/CCB/Visitors/2015 and further proceed in accordance with law.

2. The petitioner is one of the Trustees of the Sapthagiri Educational Trust. The said Trust is running various educational institutions in Chennai and other places. One such educational institution is Sri Sairam Engineering College and the said institution is one of the reputed Engineering Colleges affiliated to the Anna University. While so, they came to know that one Gowtham has been contacting some of the students studying in the Sri Sairam Engineering College through mobile phones and "Whatsapp" and instigating the students to indulge in unlawful activities such as indulging in strike and further inducing the students to make protests against the Management. The said Gowtham also organised protests before the Anna University and Commissioner of Police during the end of September 2015 and thus created law and order problem. The said Gowtham has been contacting the students by impersonation and misrepresentation through mobile phone and through E Mail and instigating the students to indulge in activities detrimental to the interests of the majority of the students and also against the Management of the said institution. Hence the petitioner lodged a complaint with the first respondent to take action against the said Gowtham for his unlawful activities. The complaint of the petitioner was forwarded to the second respondent. After receiving the complaint, the second respondent has issued an acknowledgement dated 05.10.2015 in Ref.C.No.2470/CCB/Visitors/2015. Since no action was taken on the complaint of the petitioner till date, the petitioner has come forward with the present Criminal Original Petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that the enquiry on the complaint of the petitioner is under progress and they are awaiting report from the concerned authorities.

5. In view of the submissions made on either side, this Court directs the second respondent to expedite enquiry on the complaint given by the petitioner dated 03.10.2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law as early as possible.

6. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police
Cyber Crime Cell,
Commissioner Office Campus,
Egmore, Chennai 600 008.
2. The Assistant Commissioner of Police,
Central Crime Branch,
Commissioner Officer Campus,
Egmore, Chennai 600 008
Chennai 600 034
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Sasidhran, Advocate, S.R.No.2354

Cr1.O.P.No.703 of 2016

rsy(CO)
srg(28/01/2016)

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