

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.7802 of 2016

V.Vanitha

... Petitioner

Vs.

1. The State by Inspector of Police
All Women Police Station,
Panrutti,
Cuddalore District.

2. K.B.Kalidass

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents to alter the FIR by including Section 66(A) of the Information Technology Act and by completing the investigation within such time as may be directed by this Hon'ble Court.

For Petitioner : Mr.G.K.Ilanthiraiyan
for M/s.Sai Bharath and Ilan
For Respondents : Mr.C.Emalias for R1
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent police to alter the FIR by including Section 66(A) of the Information Technology Act and by completing the investigation within such time as may be directed by this Court.

2.The learned counsel appearing for the petitioner would submit that the second respondent is harassing the petitioner through unwanted foul messages through mobile phones and also making calls and abusing, teasing and torturing the petitioner. Hence, the petitioner has lodged a complaint with the respondent police. The respondent police has registered the case in Crime No.02 of 2016 only for the offence punishable under Sections 498 (A), 294(b) and 506(ii) of I.P.C. Hence, the petitioner has come up with the present petition for the relief as stated above.

3.Heard the submissions made by the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

4.Considering the submissions made on both sides and on perusal of typed set of papers, it is known that case has been registered only on 11.03.2016. Hence, investigation is in the earlier stage. Section 66(A) of the Information Technology Act has been struck down by the Hon'ble Supreme Court. Therefore, this Court feels that this petition deserves to be dismissed with cost.

5.Accordingly, this Criminal Original Petition is dismissed and the petitioner is directed to pay a sum of Rs.1,000/- (Rupees One Thousand Only) to the Tamil Nadu State Legal Services Authority, High Court Buildings, Chennai - 600 104.

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

- 1.The Inspector of Police
All Women Police Station,
Panrutti,
Cuddalore District.
- 2.The Public Prosecutor
High Court, Madras.
3. The Secretary,
Tamil Nadu State Legal Services
Authority, High Court Buildings,
Chennai 104.

+ 1 cc to Mr.Sai Bharath & Ilan, Advocates SR 22470

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CrI.O.P.No.7802 of 2016