

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39709 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the respondents in registering FIR No.233 of 2016 for the offences punishable under Sections 65 of Information Technology Act, 3 & 4 of A.P. Gaming Act and 420 IPC, as illegal and arbitrary.

Heard and perused the material available on record.

The 5th respondent lodged a complaint alleging that the 1st petitioner is a registered online gaming site and the 2nd petitioner is its Managing Director, and they are inducing the gullible customers to play online rummy game with fraudulent practices, by luring them with a hope of winning easy money and that the 4th respondent lost about Rs.10,00,000/- by playing online rummy game.

The case of the petitioners is that the 1st petitioner is providing a platform for people to play rummy, and that it never induced the 5th respondent to join in that platform and after observing the website, the 5th respondent joined the same and that the petitioners are ready to cooperate with the investigation of the case.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, and the respondents are investigating into the matter in accordance with law.

The petitioners filed the present writ petition challenging investigation on the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into

consideration the facts and circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, respondents 2 to 4 are directed to complete the investigation and file a final report, if any, in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum each, for their appearance before the investigating officer as and when required, for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

November 17, 2016.
KTL

RAJA ELANGO, J



