

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.7089 of 2014

and

Crl.M.P.No.1 of 2014

S.Mohanraj

... Petitioner

Vs.

1.The State

Rep. by its Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai.

2.R.Srinivas

...Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, praying to call for the records and quash the FIR registered in Crime No.2321 of 2013 pending on the file of the 1st respondent police in so far as the petitioner is concerned.

For Petitioner : M/s.Svaak Legal

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the FIR registered in Crime No.2321 of 2013. The FIR has been registered for an offence under Section 66A of Information Technology Act and Section 506(i) IPC.

2. Insofar as the offence under the Information Technology Act is concerned, the Hon'ble Supreme Court in the Judgment in Shreya Singhal vs. Union of India (UOI) reported AIR2015 SC1523 struck down as unconstitutional.

3. Therefore, the Police has investigated the case, insofar as, the offence under Section 506(i) of IPC. Allegations made in the complaint does not make out an offence under Section 506 (i) of IPC. Mere using of words without any other act will not constitute criminal intimidation under Section 503 of IPC.

4.In view of the above, the FIR registered in Crime No.2321 of 2013 is hereby quashed. Hence, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous petition is closed.

stm

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

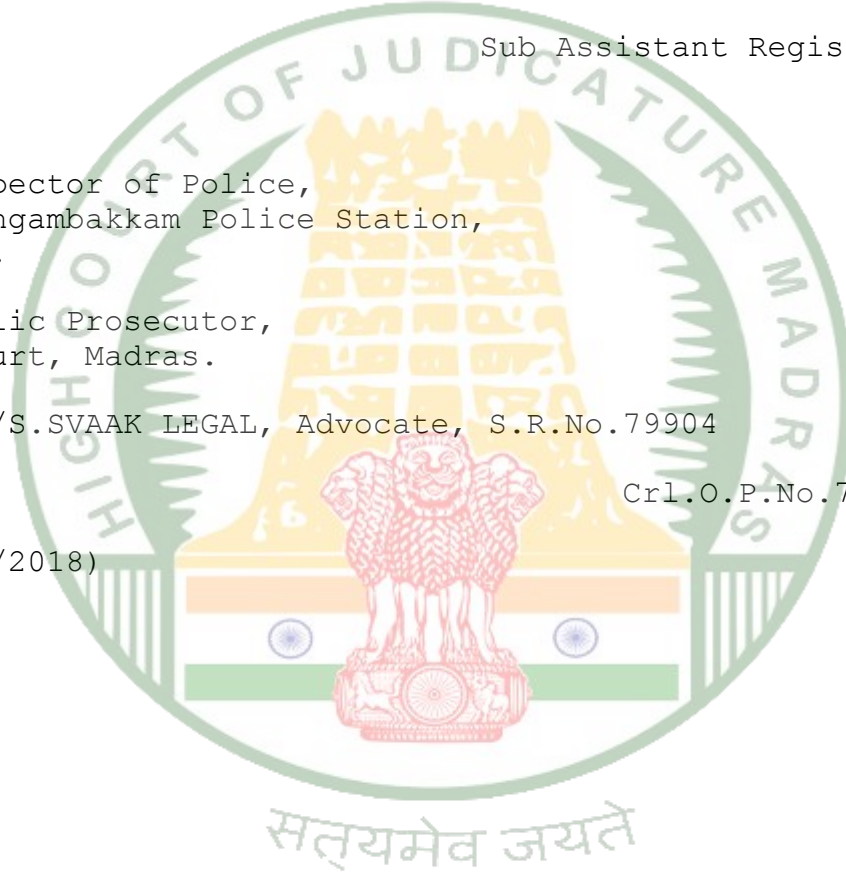
1.The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.SVAAK LEGAL, Advocate, S.R.No.79904

CrI.O.P.No.7089 of 2014

RR(CO)
KAK(19/12/2018)



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