

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.17211 of 2018

Hitan Kantilal Shah

...Petitioner

Vs.

State rep. by  
Inspector of Police,  
Cyber Crime Branch,  
Coimbatore District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C to direct the respondent police to secure the accused 3 in Crime No.47 of 2017.

For Petitioner : Mr.N.P.Nagalakshmi  
For Respondent : Mr.C.Raghavan  
Government Advocate (Crl.Side)

O R D E R

This criminal original petition has been filed seeking a direction to the respondent to secure the third accused in Crime No.47 of 2017.

2. On the complaint lodged by one Ezon Energy Solutions Limited, the respondent police have registered a case in Crime No.47 of 2017 for the offences under Sections 66C, 71 and 74 of the Information Technology Act, 2000 and 463 and 120B IPC against three accused. In the FIR, the petitioner herein has been shown as the first accused. The petitioner was arrested and released on bail by the order of this Court in Crl.O.P.No.17185 of 2017 on 24.08.2017. While so, the petitioner is before this Court for a direction to the respondent police to arrest the third accused.

3. In the opinion of this Court, no direction can be issued to the respondent police to arrest an accused in the light of the law laid down by the Supreme Court in Joginder Kumar Vs. State of Uttar Pradesh [(1994) 4 SCC 260]. That apart the petitioner is an accused in this case and that he cannot demand the arrest of co-accused.

4. Hence, this petition is dismissed.

Sd/-  
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

kmi

To

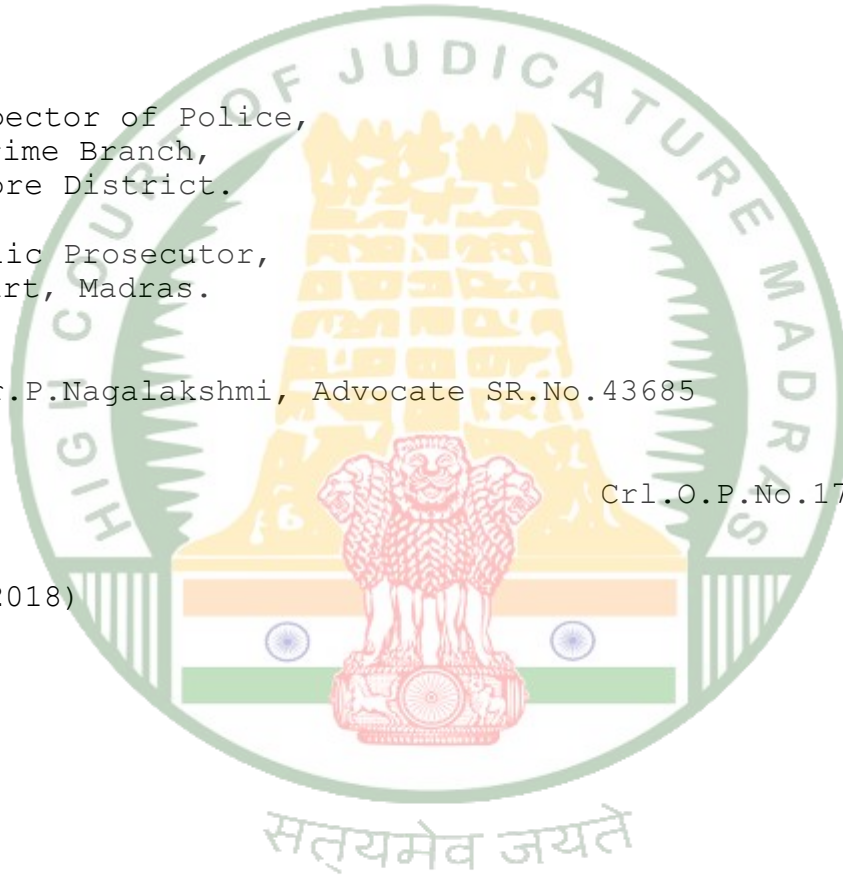
1.The Inspector of Police,  
Cyber Crime Branch,  
Coimbatore District.

2.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.P.Nagalakshmi, Advocate SR.No.43685

CrI.O.P.No.17211 of 2018

SJ(CO)  
GN(19/07/2018)



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