

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.12.2019
CORAM:
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
Crl.OP.No.34129 of 2019

R.Ramalingam

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2. The Assistant Commissioner of Police,
Cyber Crime Cell,
O/o.Commissioner of Police,
Greater Chennai,
Vepery, Chennai.

3. The Sub Inspector of Police,
Cyber Crime Cell,
O/o.Commissioner of Police,
Greater Chennai,
Vepery, Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to declare the Closure Report dated 22.08.2019 in C.No.3798/CCB/COP/V/19 passed by the third respondent as illegal pertaining to the petitioner's complaint dated 09.07.2019 and further direct the respondents 1 and 2 to reinvestigate and take action against the accused persons.

For Petitioner : Mr.A.John Britto

For Respondents : M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed to declare the closure report dated 22.08.2019 in C.No.3798/CCB/COP/V/19 passed by the third respondent as illegal pertaining to the petitioner's complaint dated 09.07.2019 and further direct the respondents 1 and 2 to reinvestigate and take action against the accused persons.

2. The learned counsel for the petitioner has submitted that the petitioner has lodged a complaint before the second respondent in-respect of the offence committed under the Information Technology Act, 2000, a Police Officer not below the rank of Inspector of Police shall investigate any offence under the said Act, but, in this case, the second respondent has

forwarded the complaint to the third respondent who is Sub Inspector of Police and the third respondent has enquired the matter and closed the complaint and therefore he requests to set aside the order passed by the third respondent and order for further enquiry.

3. Considering the aforesaid submissions, the impugned order passed by the third respondent is set aside. The Inspector of Police, Cyber Crime Cell, Commissioner of Police, Greater Chennai, Vepery, Chennai is directed to enquire the petitioner's complaint and to dispose of the same in accordance with law.

4. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

Vv

To

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.
2. The Assistant Commissioner of Police,
Cyber Crime Cell,
O/o.Commissioner of Police,
Greater Chennai, Vepery, Chennai.
3. The Sub Inspector of Police,
Cyber Crime Cell,
O/o.Commissioner of Police,
Greater Chennai, Vepery, Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1CC Mr.A.John Pritto, SR.No.105567.

Cr1.O.P.No.34129 of 2019

NRL (CO)

CSR: 29/01/2020