

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1846 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to quash the proceedings in Crime No.19 of 2019 of Cyber Crime Police Station, Hyderabad, registered for the offences alleged under Sections 67 and 67A of the Information Technology (Amendment) Act, 2008 (for short, 'I.T. Act') and Sections 354D and 509 I.P.C.

2. Heard learned counsel for the petitioner/accused and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. Learned counsel for the petitioner/accused would contend that in the F.I.R., dated 14.01.2019, and in the material collected in the course of investigation, there are no allegations against the petitioner/accused constituting the offences indicated above and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor would contend that the petitioner/accused was remanded to judicial custody; that lot of material has been collected after his arrest and also during the course of investigation; that there is mention in the F.I.R. with regard to the commission of offences alleged; that it is not a fit case to quash the proceedings in the subject crime against the petitioner/accused and ultimately, prayed to dismiss the petition.

5. As per the F.I.R., dated 14.01.2019, and the Remand Report and other material collected in the course of investigation, there are specific allegations against the petitioner/accused committing the offences alleged. The offences alleged under the I.T. Act are cognizable, so also, the other offences under Sections 354D and 509 I.P.C. When there is substantial material against the petitioner/accused constituting the offences alleged, the registration of subject F.I.R. cannot be faulted. Under these circumstances, the petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

April 04, 2019.
MD

Dr. SHAMEEM AKTHER, J