

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.2615 of 2020

R.Seshadri

.. Petitioner

-vs-

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

2.The Inspector of Police,
Central Crime Branch,
CCB-II, Vepery,
Chennai - 600 007.

3.K.S.Aruna Vasumathi

.. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to consider and act on the representation in C.No.6922/CCB/COP/Visitors/2019 dated 20.12.2019.

For Petitioner : Mr.K.P.Anantha Krishna

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1 & R2

ORDER

This petition has been filed by the accused in Crime No.157 of 2018 on the file of the second respondent to direct the first respondent to consider and act on representation in C.No.6922/CCB/COP/Visitors/2019 dated 20.12.2019 and pass such further or other orders as it may deem fit.

2. The learned counsel for the petitioner has submitted that based on the complaint lodged by the third respondent, the second respondent has registered a case against the petitioner

herein in Cr.No.157 of 2018 under Sections 66 & 43(j) of the Information Technology (Amendment Act, 2008). He further submitted that the petitioner has not committed any offence. He further submitted that one D.Ranganathan, Ravikumar and M.Venkateshwaran have misused the petitioner's computer by using his mail ID and without his permission used for the illegal use and hence the petitioner has sent a complaint to the first respondent on 20.12.2019 and the same has been recorded in C.C.6922/CCB/COP/Visitors/2019 dated 20.12.2019 but so far no action has been taken on the said complaint and therefore he requests to direct the first respondent to consider the said representation and pass appropriate order.

3. Per contra, the learned Additional Public Prosecutor has submitted that after the receipt of the said complaint, preliminary enquiry was conducted and closed on 12.02.2020.

4. The learned counsel for the petitioner, by way of reply has submitted that the petitioner has not been called for any enquiry and without conducting any enquiry, the petitioner's complaint was closed. He further submitted that the second respondent may be directed to investigate the matter on the line of the petitioner's representation. If the second respondent conducted investigation on the line of the petitioner's representation that would prove that the petitioner has not committed any offence and therefore he requests to direct the second respondent to investigate the matter on the line of the petitioner's representation.

5. Since in the said representation, the petitioner has made a request to treat the said representation as a counter complaint and the same has been closed by the second respondent, the petitioner is directed to give a fresh representation requesting the second respondent to investigate the matter on the line of his representation also and if any, such representation is given, the second respondent has to investigate the matter on the line of the said representation also.

6. With the aforesaid directions, this Criminal Original petition is disposed of.

Sd/-

Assistant Registrar(J)

// True Copy//

Sub Assistant Registrar

drl

To

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

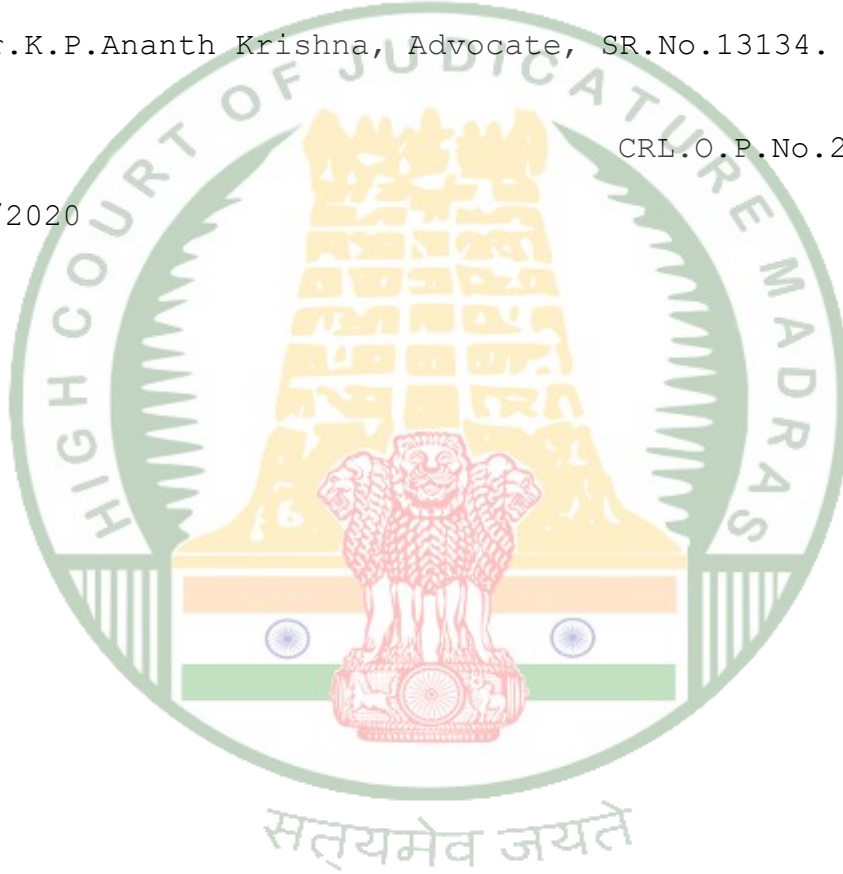
2.The Inspector of Police,
Central Crime Branch,
CCB-II, Vepery,
Chennai - 600 007.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.P.Ananth Krishna, Advocate, SR.No.13134.

CRL.O.P.No.2615 of 2020

KKV/22/07/2020



WEB COPY