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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.14263 OF 2021

M. Ganesamoorthy

... Petitioner

Versus

1. The Inspector of Police,
Cyber Crime Cell, Team - 29
Central Crime Branch,
Vepery, Chennai 600 007.

2. The Commissioner of Police,
Greater Chennai,
E.V.R Salai, Vepery,
Chennai 600 007.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to take action against his complaint dated 11.12.2020 and 24.07.2021 and register the complaint and investigate the same in accordance with law.

For Petitioner : M/S R. Muthukumar

For Respondents : Mr.A.Damodharan,
Government Advocate (Crl.side)

ORDER

This petition has been filed to direct the 2nd respondent police to register the complaint lodged by the petitioner and investigate the same in accordance with law.

2.The contention of the petitioner is that he is a practicing advocate and having chamber at No.177, New Additional Law Chambers, High Court Buildings, Chennai and residing at No.14, New No.6, Francis Joseph Street, Chennai. He is using two mobile numbers, viz., 9790611952(Airtel) and 9842773593(BSNL). Since the above said two mobile numbers are constantly monitored



by some known persons, he fears for his life. Hence, he sent a complaint by post on 24.07.2021 . But, no action taken. Hence, this petition.

3. The respondent police had filed a counter affidavit stating that on receipt of the petitioner's complaint, the respondent police has sent notice to the petitioner on 09.12.2020, calling upon the petitioner to appear for enquiry on 14.12.2020. But, he failed to appear. Later, he filed another petition on 26.07.2021 .

4. The learned Government Advocate (crl. side) appearing for the respondent would submit that there is no scope to track the hidden running software in the mobile device of the petitioner. He would further submit that unless the petitioner produce both of his mobile phones along with sim card, the allegations of the petitioner cannot be verified. Only thereafter, the mobile phones can be sent to the Forensic Department and after verification of the call details, any progress can be made in the enquiry.

5. The learned counsel for the petitioner would submit that he will appear before the respondent police on 23.08.2021 and produce both his mobile phones along with the sim card to aid the enquiry.

6. Considering the submission made by the learned counsel for the petitioner, the petitioner is directed to appear before the respondent police on 23.08.2021 and the respondent police is directed to take further action, in this case, thereafter.

7. With the above direction , this Criminal Original petition is disposed of.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Inspector of Police,
Cyber Crime Cell, Team - 29
Central Crime Branch,
Vepery, Chennai 600 007.



2. The Commissioner of Police,
Greater Chennai,
E.V.R Salai, Vepery,
Chennai 600 007.

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3. The Public Prosecutor
Madras High Court.

CRL.O.P.No.14263 of 2021

PL (CO)
PM/13/09/2021