



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2021

CORAM :

THE HONOURABLE Mr. JUSTICE **G.ILANGOVAN**

Crl.O.P.(MD) No.10260 of 2021

Dr.Mohan

... Petitioner

Vs.

The State
represented by the Inspector of Police,
Annavasal Police Station,
Pudukkottai District
Crime No.86 of 2021

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to expedite the investigation in Crime No.86 of 2021 dated 03.02.2021 and to file the final report within a stipulated time as may be fixed by this Court.

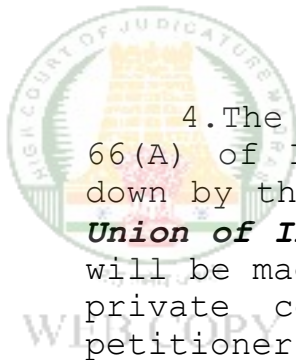
For Petitioner	: Mr.D.Ramesh Kumar
For Respondent	: Mr.R.M.Anbunithi, Additional Public Prosecutor (Crl.Side)

ORDER

This Criminal Original Petition is filed to direct the respondent to expedite the investigation in Crime No.86 of 2021 dated 03.02.2021 and to file the final report within a stipulated time as may be fixed by this Court.

2.When the matter was taken up for hearing on 30.07.2021, the learned Additional Public Prosecutor (Crl.Side) was directed to verify the present position with regard to the offences set out in the FIR.

3.When the matter was taken up for hearing today, the learned counsel for the petitioner submitted that due to the inaction on the part of the respondent police, the petitioner has filed a petition before the learned Judicial Magistrate, Illupur under Section 156(3) of the Code of Criminal Procedure, which was also forwarded to the respondent police for registration of the case in Cr.No.86 of 2021 for the offence under Section 500 of IPC and Section 66(A) of Information Technology Act, 2000.



4.The learned counsel for the petitioner submitted that Section 66(A) of Information Technology Act, 2000 had already been struck down by the Hon'ble Supreme Court in the case of **Shreya Singhal Vs. Union of India (UOI)**. If at all the offence under Section 500 of IPC will be made out, liberty may be granted to the petitioner to file a private complaint before the appropriate forum, otherwise the petitioner will be affected.

5.The request of the learned counsel for the petitioner is reasonable and genuine one. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioner to workout his remedy through appropriate proceedings before the appropriate Court under the proper provisions of law.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note In view of the present lock down owing to COVID-19 pandemic, : a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.Inspector of Police,
Annavasal Police Station,
Pudukkottai District

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.10260 of 2021
02.08.2021

SSS (CO)
LR (10.08.2021) 2P 3C