



Crl.O.P No.24318 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.24318 of 2019
and Crl.M.P. Nos.12862 & 12863 of 2019

S.Arunraj

... Petitioner

Vs.

1. State, Represented by,
The Inspector of Police,
Ooty Town West Police Station,
The Nilgiris.

2. S.Anguraj

... Respondents

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to call for the records in FIR No.323/2019 on the file of the first respondent and quash the same in so far as it relates to the petitioner herein.

For Petitioner : Ms.S.Sasikala

For Respondent -1 : Mr. A.Gopinath

Government Advocate (Crl.side)

2 : No appearance



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ORDER

This Criminal Original Petition has been filed to call for the records in FIR No.323/2019 on the file of the first respondent and quash the same in so far as it relates to the petitioner herein.

2. The petitioner is the sole accused. A case has been registered on the complaint given by the District Sheristadar of Coimbatore District Courts in his official capacity by alleging that on 11.06.2019 someone called the office of the District Court and made enquiries as to the advertisements made in the Website with regard to the notification for filling up of certain posts in the Court. Since no authenticated notification has been issued in this regard by the Court, the District Sheristadar had given the complaint after getting due permission. On the basis of which a case has been registered against the petitioner in Cr.No.323/2019 for the offences under Section 417, 468, 511 & 420 IPC.

3. The learned counsel for the petitioner submitted that the petitioner had just got the information from some other website and he has not advertised anything on his own; he has not committed any offence as found



in the First information Report; hence the First Information Report is liable to be quashed.

4. The learned Government Advocate (Crl.side) submitted that such kind of false advertisements are made only with an intention to allure the public to make applications; these advertisements are instrumental for committing the offences of job racketing; even the source from which the petitioner had taken the advertisement itself is a false one.

5. On perusal of the records, it is seen that the petitioner is also having a website and even without verifying the authenticity of the informations, he had given the advertisement and created a false picture that the recruitment for certain posts is being done in the District Courts of Nilgiris. The advertisements not only states about the vacancies but also about the qualification, mode of selection, etc. which is the hand work of people who might work in a network.

6. The accused had been booked in this case only because he had published a false advertisement in his site and influenced the public to believe the same to be true. As rightly pointed out by the learned



Government Advocate, these kind of advertisements are instrumental for the commission of other offences like job racketing etc. Unless the investigation is allowed to go in these kind of cases, the origin for all these actions might not be unearthed and the complicity of this petitioner in the offence may not be known. At the threshold stage itself, this Court cannot make any roving enquiry on the facts that should be unearthed during investigation.

7. In view of the above stated reasons, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking Order : Yes / No
bkn



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To:

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1. The Inspector of Police,
Ooty Town West Police Station,
The Nilgiris.
2. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

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