



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.27435 of 2022

K.Shanmugapriya

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Petitioner

versus

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 010.

2.The Inspector of Police,
All Women Police Station W24.
Teynampet,
Cehnnai - 600 018.

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the second respondent to seize the cell phone Samsung A70 worth Rs.39290/- (IMEI No.35592210294705) in respect of Crime No.1 of 2021 on the file of Inspector of Police, All Women Police Station, Teynampet and subsequently file the final report.

For Petitioner : M/s.T.Sreelekha

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



ORDER

This Criminal Original Petition has been filed to direct the second respondent police to seize the cell phone of the petitioner in respect of Crime No.1 of 2021 and file the final report.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. The learned counsel for the petitioner submitted that on the complaint given by the petitioner against one S.Anandaraj @ Anand Siddharth and others, a case has been registered in Crime No.1 of 2021 on the file of the second respondent police for the offences under Sections 376, 417, 420, 294(b), 506(2) and 509 IPC. In the complaint itself, the petitioner had alleged that the first accused had threatened her that he would transmit the photographs taken with her by morphing so as to make it obscene. The grievance of the petitioner is that despite the first accused is using her cell phone, the second respondent police has not seized the same from him so far.



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4. The learned Government Advocate (Crl. Side) appearing for the respondents submitted that the second respondent police was directed by the Deputy Commissioner of Police, Mambalam, to know whether the IMEI Number furnished by the petitioner is still active and to provide the call details records. In pursuant of that, the second respondent police has taken steps and come to know that IMEI Number is not available and without that particulars the cell phone is not traceable. It is further submitted that the first accused and other accused have got anticipatory bail.

5. Since the petitioner has stated that the first accused is still using her cell phone, the second respondent police is expected to conduct proper enquiry by summoning the first accused and do the needful. The petitioner is also at liberty to make her additional statement if any in this regard to the second respondent police in order to enable him to continue his investigation in the case. Since the investigation is almost completed, the second respondent police is also directed to file the final report within a period of two (2) months from the date of receipt of a copy of this order.



6. With these observations, this Criminal Original Petition
stands disposed of.

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09.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

To

- 1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 010.
- 2.The Inspector of Police,
All Women Police Station W24.
Teynampet,
Cehnnai - 600 018.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA, J.

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