



Crl.OP.No.16149 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16149 of 2023

Atthma Senthil Kumar @ Senthil Kumar,
S/o.Aathmanantham

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District.

2. Dhatchana Moorthi. M.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the further proceedings in Crime No.37 of 2021 pending on the file of the Inspector of Police, Thiruvarur Town Police Station, Thiruvarur District.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor [R1]

ORDER

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.37 of 2021 pending investigation on the



file of first respondent.

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2. Heard Mr.P.Muthamizhselvakumar, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. A complaint was given to the first respondent to the effect that the petitioner has posted in his face book ID a message, which is derogatory and which criticizes the Food Minister. Based on the same, a First Information Report came to be registered by first respondent in Crime No.37 of 2021.

4. This Court has carefully considered the allegations that have been made against the petitioner in the complaint and also the post that was forwarded in the social media. Even if the message is taken as it is, it does not constitute an offence u/s.469 IPC r/w 66 of the Information Technology Act, 2000. Hence, the continuation of the investigation against the petitioner will amount to abuse of process of law, which requires the interference of this Court in exercise of its jurisdiction under Section 482 Cr.P.C.



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19.07.2023

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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