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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 14.03.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Crl.O.P. No.6223 of 2024**  
**and Crl.M.P. Nos.4558 & 4560 of 2024**

Karthikeyan

...Petitioner

Vs

1.State Rep. by: The Inspector of Police,  
Cyber Crime Cell,  
Coimbatore City.

2.G.Menaka

... Respondents

**PRAYER** : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the proceedings in pending C.C.No.2099 of 2023 on the file of the learned Judicial Magistrate IV, Coimbatore and quash the same.

For Petitioner : Mr.M.Sasikumar

For Respondent : Mr.A.Damodaran  
Additional Public Prosecutor  
for R1



## **ORDER**

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This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Sections 120B, 420 IPC and 66D of Information Technology Act, 2000.

2. The grounds raised by the counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. The facts of this case and grounds raised the quash petition does not fall within the parameters laid down by the Apex Court in ***Bhajan Lal*** case reported in ***(1992) Suppl (1) SCC 335***. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. Accordingly, this Criminal Original Petition is dismissed with a direction to the Court below to complete the proceedings in C.C.No.2099 of 2023 on the file of learned Judicial Magistrate IV, Coimbatore, as expeditiously as possible. The



trial shall be conducted on a day to day basis in accordance with the guidelines

given by Hon'ble Supreme Court reported in ***Vinod Kumar Vs State of Punjab***

***[2015 (1) MLJ (Crl) 288 SC]***. If the petitioner adopts any dilatory tactics, it is

open to the trial Court to insist upon the presence of the petitioner and remand

him to custody as per the judgment of the Hon'ble Supreme Court in ***STATE OF***

***UTTAR PRADESH VS. SHAMBHU NATH SINGH (JT 2001 (4) SC 3191)***.

Consequently, connected miscellaneous petitions are closed.

**14.03.2024**

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

ssr

To

1.The Judicial Magistrate IV, Coimbatore.

2.The Inspector of Police,  
Cyber Crime Cell,  
Coimbatore City.

3.The Public Prosecutor,  
High Court, Madras.



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**N.ANAND VENKATESH, J**

SSI

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