



Crl.O.P.No.8155 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8155 of 2024

S.Mithun

... Petitioner/Accused

/versus/

1. The State Represented by
The Inspector of Police,
Cyber Crime Police Station (CCD II),
Coimbatore District.

...Respondent/Complainant

2. Narmatha.

... Respondent/Defacto complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in F.I.R.No.8 of 2024 pending on the file of Cyber Crime Police Station (CCD II), Coimbatore District i.e., the respondent police and quash the same.

For Petitioner : Mr.Shaikh Mehrunnisa Kasim

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

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WEB COPY This Criminal Original Petition is filed to quash the F.I.R No.8 of 2024 on the file of Cyber Crime Police Station (CCD-II), Coimbatore on the ground that the complaint is false complaint and the complainant herself had informed the trial Court during the bail proceedings that she is not interested in perusing the matter.

2. This Court is not inclined to entertain such plea. In any event, it is matter for investigation and when the serious complaint alleging offences under Section 354 (A), 354 D, 384 of I.P.C, 67 and 67 A of Information Technology Act and 4 of Tamil Nadu Prohibition of Harassment of Women Act is made, the police has to investigate the matter dispassionately and also rule out any threat to the victim in the course of investigation. If really the victim is not interested in perusing the matter, same may be taken note of before filing final report and appropriate report has to be filed before the trial Court.

3. Since, it is for the Investigating Officer, defacto complainant and the accused to put forth the fact in the course of investigation to enable the Court to take a decision on the final report. This Court is not inclined to invoke its power



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under Section 482 of Cr.P.C., to make any comment in the matter which is pending investigation. The grounds raised by the petitioner herein is open for him to canvas before the Investigating Officer who will conduct the investigation fairly and file final report, within a period of one month, from the date of receipt of a copy of this order.

4. With this observation, this Criminal Original Petition is disposed of.

02.04.2024

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Inspector of Police,
Cyber Crime Police Station (CCD II),
Coimbatore District.

DR.G.JAYACHANDRAN, J.



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