



WEB COPY



Crl.O.P.No.21668 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.21668 of 2024

M/s.ADP India Private Limited
Represented by its Director,
Mr.Rahul Goyal
Tamarai Tech Park

... Petitioner

Vs.

The Inspector of Police,
Cyber Crime Police Station,
Central Crime Branch, Delta-2,
Vepery, Chennai-600 007.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, pleaded to direct the respondent not to harass the petitioner and its employees in connection with Crime No.118 of 2024, on the file of Cyber Crime Police Station, Central Crime Branch, Delta-2, Vepery, Chennai.

For Petitioner : Mr.R.John Sathyan, Senior Counsel
for Mr.Edward James

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

ORDER



CrI.O.P.No.21668 of 2024

The Admin Manager of Bharat Reinsurance Brokers has lodged a complaint to the CCD-I, Chennai/Cyber Crime Police alleging that there are nearly 80 staff working in their institution and they are provided with e-mail IDs for communication which are configured in Outlook. Since obscene e-mails containing explicit messages and attachments containing photograph of male and female been received by the employees, specifically targeting few of our female employees with intention outrage their modesty and cause mental harassment. The address of the e-mail from which those obscene messages sent also been furnished to the complaint.

2. Pursuant to that, the 1st respondent has registered a case in Crime No.118 of 2024 on 06.04.2024. In the course of investigation, it was found by the Cyber Cell police that the IP address 122.165.180.43 is involved in this offence. From Airtel, it has been gathered that this IP address emanates from a number 044 66276354, which linked with the Static IP address. Further, the investigation had disclosed that the said phone number is registered at the office of the petitioner. Therefore, for the said connection, the petitioner was summoned on 08.05.2024 under Sections 160 and 91 Cr.P.C., to appear and furnish the following required



CrI.O.P.No.21668 of 2024

information related to the number 044 66276354.

WEB COPY

“1.Name, Address, Mobile Number, Designation, Address of the user who allotted to the DSL ID 044-66276354-tn

2.IP activity log details of the DSL ID from 02.04.2024 to 05.04.2024.

3.Other devices connected using the DSL ID from 02.04.2024 to 05.04.2024.

4.Web history of the above user from 02.04.2024 to 05.04.2024.”

3. The petitioner herein by mail has replied stating that the said IP address does not belong to their company and was not used to connect with M/s.ADP India Private Limited during the aforementioned period i.e., on 02.04.2024 to 05.04.2024. Further, they have stated that the phone number 044 66276354 is not a “DSL-ID” and therefore, this phone number does not have Internet facility. Therefore, it is unclear as to how Airtel linked the IP address to the company's number.

4. After receipt of this response by the petitioner's company on 17.05.2024, another notice under Section 94 of BNSS dated 24.08.2024 sent by the Inspector of Police, Cyber Crime Police Station through e-mail



CrI.O.P.No.21668 of 2024

wherein, the following documents been sought:-

WEB COPY

“1.Complete List of Employees:

-Full names, designations and department details

2.Contact Information:

-Official contact numbers (Mobile and Landline)

-Personal contact numbers (Mobile)

3.Email Ids:

-Official and personal email addresses.”

5. Being aggrieved by the summon, the present petition is filed alleging that the police under the guise of investigation harassing the petitioner in spite of giving detail reply to the summons. The complaint given by the Manager Admin, Bharat Reinsurance Brokers itself indicates that the obscene e-mails might have been sent by the insiders. While so, the respondent police is forcing to part away personal details of about 100 employees working under the petitioner's company. Even after explaining that the suspected IP address does not belong to the petitioner's company and the phone number furnished and under investigation is not “DSL-ID”.



CrI.O.P.No.21668 of 2024

6. The summons issued to the petitioner's company to furnish details of the employees to ascertain from whom the offensive message been emanated appears to be the investigation in the right direction. The petitioner claims to be the Director of M/s.ADP India Private Limited cannot evade from furnish details on the ground it contains personal details the Investigating Agency to stall the investigation.

7. The complaint of very serious in nature been under investigation. The petitioner's company cannot refuse to cooperate with the investigation. The reasons stated in this petition, declining to furnish the details does not appear to be proper. If the details sought is not furnished, the respondent police may not be able to find out the perpetrator of the crime who has sent derogative remarks about women and circulated it through the e-mail.

8. In view of the above, this Court finds no merit in this petition, hence, this Criminal Original Petition stands dismissed.

04.09.2024

Neutral Citation : Yes/No
rpl



WEB COPY



CrI.O.P.No.21668 of 2024

Dr.G.JAYACHANDRAN,J.

rpl

To

1.The Inspector of Police,
Cyber Crime Police Station,
Central Crime Branch, Delta-2,
Vepery, Chennai-600 007.

2.The Public Prosecutor,
High Court of Madras,
Chennai.

CrI.O.P.No.21668 of 2024

04.09.2024