



CRL.O.P (MD) No.8611 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 02.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.8611 of 2024

and

CRL.O.P.(MD)Nos.5893 & 5894 of 2024

Yogeshkumar

... Petitioner

Vs

1. State rep. by
The Inspector of Police,
Theni CCD- III Police Station,
Theni District.
(Crime No.23/2023)

2. Vishnupriya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the charge sheet in CC No. 150/2024, pending on the file of the learned Judicial Magistrate, Theni District and quash the same.

For Petitioners : Mr.John M,

For R-1 : Mr.P.Kottai Chamy
Government Advocate (Crl. side)



WEB COPY



CRL.O.P (MD) No.8611 of 2024

ORDER

The petitioner has filed this petition, seeking to quash the proceedings in CC No.150 of 2024 on the file of the learned Judicial Magistrate, Theni.

2. The case of the prosecution is that the petitioner secretly recorded a video of the defacto complainant without her consent and he had shared a video to her friends and also threatening her by demanding money. Hence, the case has been registered against the petitioner.

3. The case of the petitioner is that the offence punishable under Sections 67 of Information Technology Act, 2008 and Sections 354-A and 509 of I.P.C is illegal and contrary to the facts and circumstances to the present case. There is no commission of offences so as to attract the penal provisions and there are no ingredients to make out an offence under the sections mentioned in the final report. Hence the same is liable to be quashed.



CRL.O.P (MD) No.8611 of 2024

4. The learned Government Advocate (Crl.Side) appearing for the first respondent submits that it is a matter for trial and these grounds can be raised before the trial Court.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

6. Though the petitioner has raised several grounds, this Court is of the opinion that it can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all these grounds before the trial Court, during the trial. Consequently, the connected miscellaneous petitions are closed.

02.07.2024

NCC : Yes/No
Internet: Yes/No
Index: Yes/No

jbr

3/5



CRL.O.P (MD) No.8611 of 2024

WEB COPY

To

1. The Inspector of Police,
Theni CCD- III Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL.O.P (MD) No.8611 of 2024

B.PUGALENDHI, J.

jbr

CRL.O.P (MD) No.8611 of 2024

02.07.2024