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Crl.O.P.No.18741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.18741 of 2025

Lt.Col.Ganesan S (Retd.,)

... Petitioner

Vs.

1. The Superintendent of Police,
CBCID HQRS, Chennai – 600 002.

2. The Inspector of Police,
Cyber Crime Wing,
CBCID, Chennai – 600 002.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to direct the 1st and 2nd respondents to take appropriate steps to remove all the posts with defamatory contexts and enquire into such parts as directed by this Court in C.R.P.No.443 of 2025 dated 12.03.2025 and Hon'ble Apex Court in SLP Diary No.14275 of 2025 dated 20.03.2025.

For Petitioner : Mr.K.Mageshwaran

For Respondents : Dr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed seeking a direction to respondents 1 and 2 to take appropriate steps to remove all the posts with defamatory contexts and enquire into such parts as directed by this Court in C.R.P.No.443 of 2025 dated 12.03.2025 and the Hon'ble Apex Court in SLP Diary No.14275 of 2025 dated 20.03.2025.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for respondents and perused the materials available on record.

3. According to the petitioner, he is a practising Advocate and he is the counsel for respondents 1 to 3 in CRP.No.443 of 2025 and at the instance of the petitioner, this Court *vide* order dated 07.03.2025, has taken cognizance of serious unethical practices and criminal conduct by certain Advocates and non-Advocates and directed CB-CID to conduct a thorough investigation. When the matter was under such judicial scrutiny, certain criminal/unscrupulous elements started spreading defamatory content targeting the petitioner on social media. Hence the petitioner filed



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a memo bearing S.R.No.9513 of 2025 in C.R.P.No.443 of 2025 before

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this Court, enclosing certain screen shots of such uncalled for social media posts. This Court directed the petitioner to file an independent complaint before the CB-CID and also impleaded CB-CID as respondent No.7 in C.R.P.No.443 of 2025, who shall, on receipt of such a complaint, take appropriate steps to remove all the posts with defamatory contents and enquire into such posts along with other aspects, *vide* order dated 12.03.2025. It is further submitted that one Preethi Basker, who is the learned counsel for the petitioner in C.R.P.No.443 of 2025, had filed SLP Diary No.14275 of 2025 before the Hon'ble Supreme Court seeking to grant liberty to file a complaint before the Superintendent of Police for removal of defamatory content featuring her photographs and to conduct an enquiry into such posts. The Hon'ble Supreme Court, by order dated 20.03.2025, dismissed the petition.

4. While that being so, pursuant to the directions of this Court dated 12.03.2025, the petitioner submitted a detailed complaint to the 1st respondent-Police. However, no FIR has been registered, and no concrete steps have been taken to completely remove the offending posts from the social media till date. Hence the present petition is filed by the petitioner



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for the prayer stated supra.

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5. When the matter was taken up for hearing on 03.07.2025 and 21.07.2025, this Court directed the respondents-Police to file status report.

6. Today, when the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondents-Police filed a status report dated 31.07.2025 and submitted that as per the directions of this Court dated 07.03.2025 and 12.03.2025 in C.R.P.No.443 of 2025, the Superintendent of Police, Central Zone, Crime Branch CID, Chennai has conducted preliminary enquiry and two F.I.Rs were registered viz., (i) CB-CID Head quarters in Crime No.2 of 2025 for the offences punishable under Sections 61(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with 316(2) and 318(4) of BNS, 2023 against one Jamal Mohammed Ibrahim, Kamalesh and Preethi Basker and (ii) CB-CID Head quarters Crime No. 3 of 2025 for the offences punishable under Sections 351(3) and 296(b) of the BNS, 2023 against Shaik Madar, Anand and others.



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7. It is further submitted that as per the directions of this Court dated 12.03.2025 in C.R.P.No.443 of 2025, the petitioner herein lodged a complaint dated 13.03.2025, alleging that some criminals have posted defamatory memes against him in the social media and requested to register the complaint and to initiate necessary action to remove all the posts in the social media. On scrutiny, as the complaint did not disclose any cognizable offence to warrant registration of an FIR, it was treated as a petition. Thereafter, a detailed enquiry was conducted and 292 posts and additionally 5 posts were identified and removed from the social media and a status report was filed before this Court in C.R.P.No.443 of 2025 and reply was also sent to the petitioner in this regard. While that being so, the petitioner filed a petition in CrI.O.P.No.18741 of 2025 as prayed supra. As per the directions of this Court dated 03.07.2025 and 21.07.2025, the first respondent-Police had conducted a further enquiry and so far, on the request made by petitioner, totally 1143 defamatory posts against the petitioner were identified and removed from the social media through the Meta's Law Enforcement Request System (LERS) with the assistance of the Nodal Officer, Superintendent of Police-I, Cyber Crimes Division-I, Cyber Crime Wing and remaining requests are under process.



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31.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Superintendent of Police,
CBCID HQRS,
Chennai – 600 002.
2. The Inspector of Police,
Cyber Crime Wing,
CBCID, Chennai – 600 002.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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