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Crl.R.C.No.1257 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1257 of 2025
and Crl.M.P.No.14708 of 2025

Joicy Joy

... Petitioner

Vs

The State represented by,
The Deputy Superintendent of Police,
OCU2, CB CID,
Egmore, Chennai.

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records and set aside the order dated 13.06.2025 passed by the Learned XI Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.2769 of 2020 in CC No.4405 of 2019 and allow Crl.M.P.No.2769 of 2020 in CC No.4405 of 2019.

For Petitioner : Mr.R.Sankara Subbu
for Mr.M.Chandru

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)



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ORDER

This Criminal Revision has been filed as against the order passed in Crl.M.P.No.2769 of 2020 in CC No.4405 of 2019 dated 13.06.2025 by the XI Metropolitan Magistrate, Saidapet, Chennai, thereby dismissing the petition to discharge the petitioner.

2. Heard both sides and perused the materials available on record.

3. The case of the prosecution is that the Union Public Service Civil Services (Mains) Examinations were held in the month of October – November 2017 at Presidency Girls Higher Secondary School, Egmore, Chennai. While being so, the first accused was found in possession of electronic devices inside the exam hall on 30.10.2017 before commencement of the General Studies Paper-I exam. On the complaint lodged by the Headmistress of the said School, FIR has been registered as against the accused.

4. During investigation, it was found that the first accused used

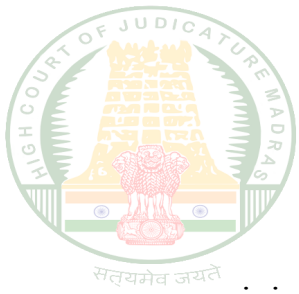


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a button camera to capture images of the question paper and uploaded them via bluetooth. The second accused accessed the images through Google Drive on her laptop and conveyed the answers to the first accused over a voice call during the examination. The same method was allegedly used by A1 and A2 during the preliminary examination held on 18.06.2017. It was further alleged that the Google Drive account used by the first accused was borrowed from another person, who has since turned as approver but had assisted the first accused. The retrieved question paper images were used to search for answers online, which were then communicated over the phone. During the preliminary examination, the answers were allegedly received from the other accused in a same manner. After completion of investigation, the respondent filed a final report for the offences punishable under Sections 109, 418, 420 read with Section 120(b) of IPC. Pending framing of charges, the petitioner filed a petition to discharge and the same was dismissed. Aggrieved by the same, the petitioner has filed the present revision.

5. The learned counsel for the petitioner would submit that

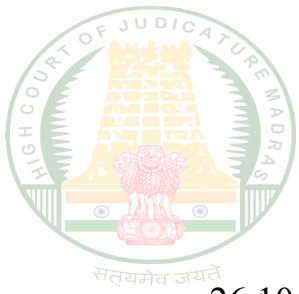


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originally the person who is arrayed is A3 confessed that he owned a laptop and the same was subsequently handed over to the petitioner herein. Therefore, it is contended that the petitioner neither owned nor possessed any laptop or electronic devices. That apart, even according to the case of the prosecution, when the first accused attempted to use the equipment, he was caught hold and no actual occurrence had taken place. Therefore, the petitioner has been falsely implicated as accused without any supporting material. The petitioner, being the wife of the first accused has been unnecessarily roped into this case. Without considering the above, the Trial Court had mechanically dismissed the petition.

6. A perusal of records revealed that pursuant to the confession statement recorded from the first accused and other co-accused, certain electronic devises such as laptop, cellphone and I pad were recovered from the petitioner. Thereafter, all the equipments were forwarded to the forensic laboratory for examination. On verification, it was found that those devices were used by the petitioner on 14.06.2017, 17.06.2017, 18.06.2017, 15.07.2017, 15.10.2017, 28.10.2017, 30.10.2017,



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26.10.2017 for copying question papers using a device operated by the first accused and all the question papers were accessed by the petitioner through Bluetooth. Thereafter, she prepared the answers and communicated the same to the first accused via voice calls using Bluetooth.

7. Therefore, all the accused had committed very serious and heinous offence as against the society, especially when lakhs of aspirants are waiting for their employment by fairly writing all the competitive examinations. The accused in this case used a shortcut method to secure employment fraudulently. Though electronic devices are helpful to our human life, it cannot be used for illegal purposes. Nowadays, all the electronic devices are used for illegal purposes and that should be curtailed. Fortunately, the first accused was caught hold while writing the Union Public Service Civil Services (Mains) Examinations and it was found that the same method was used on several occasions, while he was writing preliminary examination and other Government examinations. Therefore, there are specific materials as against the petitioner to attract



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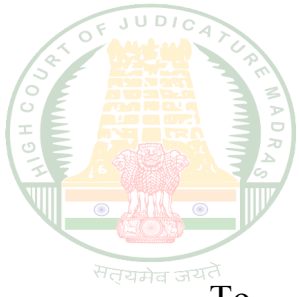
the offences punishable under Sections 109, 418, 420 read with Section 120(b) of IPC.

8. In view of the above, this Court finds no infirmity or illegality in the order passed in Crl.M.P.No.2769 of 2020 in CC No.4405 of 2019 dated 13.06.2025 by the XI Metropolitan Magistrate, Saidapet, Chennai.

9. Accordingly, the Criminal Revision Case stands dismissed. Consequently, connected Miscellaneous petition is closed. The Trial Court is directed to dispose of the trial in C.C.No.4405 of 2019, within a period of six months from the date of receipt of a copy of this order.

30.07.2025

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
mn



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To
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1. The XI Metropolitan Magistrate, Saidapet,
Chennai.
2. The Deputy Superintendent of Police,
OCU2, CB CID,
Egmore, Chennai.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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