



WP No. 30614 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 30614 of 2025

1. C.Vimala Priya

2.Mohan Babu

Petitioner(s)

Vs

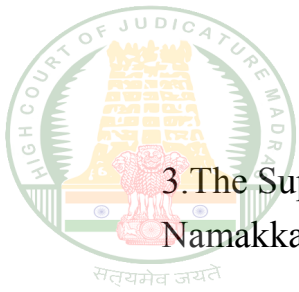
1. The Union Of India

Rep. By The Secretary To Government,
Ministry Of Electronics And Information
Technology

6 Lodhi Road, Cgo Complex, Pragati
Vihar, Electronics Niketan,
New Delhi 110 003

2.The Director General Of Police

Dr. Radhakrishnan Salai, Mylapore
Chennai 04. (r2 Deleted From The Array
Of Respondents Vide Order Dated
13.08.2025 Made In WP.30614/2025)



3.The Superintendent Of Police
Namakkal District

4.The Inspector Of Police
CCD II Police Station, Namakkal District

5.GOPINATH
S/o. Muthu, Gandhi Nagar,
Kallankattuvalusu Post,
Kumarapalayam Taluk,
Namakkal District 638 183

Respondent(s)

PRAYER

Directing the respondents especially 1st respondent with the assistance of the respondents 2 to 4 to take all appropriate measures to block, remove, take down all the petitioners obscene videos from internet, websites and telecommunication platforms, digital platforms all social media platforms by considering the petitioners' representation dated 7.08.2025 forthwith.

For Petitioner(s): Mr.R.Prabakar

For Respondent(s): Dr.K.Kannan
Senior Panel Counsel for R1
Mr.V.Meganathan
Government Advocate for R2-4
(R2 deleted vide Court's order)

ORDER

This writ petition has been filed for a direction to the 1st respondent to take appropriate measures with the assistance of the respondents 2 to 4 to block, remove, take down all the petitioners' obscene videos from internet, websites



and other digital platforms by considering the representation made by the petitioners on 07.08.2025.

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2. When the writ petition came up for hearing on 13.03.2025, this Court passed the following order,

“Dr.K.Kannan, learned Senior Panel Counsel takes notice on behalf of the 1st respondent.

2.The 2nd respondent is not a necessary party in this writ petition and hence, the name of the 2nd respondent is deleted.

3.Mr.V.Meganathan, learned Government Advocate takes notice on behalf of respondents 3 and 4.

4.The case of the first petitioner is that she had a relationship with the 5th respondent and the 5th respondent taking advantage of the same has managed to videograph some of the intimate moments. Ultimately, the relationship between the petitioner and the 5th respondent snapped and the first petitioner has married the second petitioner. Later it came to light that the non-consensual videos is now circulated by the 5th respondent through Whatsapp. Hence, a complaint was given and an FIR has been registered by the 4th respondent in Crime No.12 of 2025 for offence under Section 308(2) of BNS, 2023 and Sections 66E and 67A of the Information Technology (Amendment) Act, 2008.

5.The learned Government Advocate appearing on behalf of the 3rd and 4th respondents seeks for



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some time to take instructions. The 4th respondent shall ensure that the mobile phone and other gadgets of the 5th respondent is seized and the objectionable video shall be deleted forthwith and it shall also be ensured that the 5th respondent does not indulge in further spreading the video.

6.The nature of complaint is such that the 4th respondent has to take immediate action against the accused person, failing which, the dignity of the first petitioner will be at stake.

7.Post this writ petition at the end of the motion list on 20.08.2025.”

3. When the matter was taken up for hearing today, the learned Government Advocate appearing on behalf of respondents 3 and 4 submitted that, in the course investigation in Crime No.12 of 2025, the 5th respondent was arrested on 14.08.2025 and he was produced before the Additional Mahila Court, Namakkal and he was remanded to judicial custody on the same day. The learned Government Advocate further submitted that the mobile phone was also seized from the 5th respondent in the presence of witnesses and it has been sent to the forensic lab seeking for the report. Apart from that, a communication has been made to the 1st respondent to take steps to block, delete and take out the obscene video from the internet and other digital platforms.

4. The learned Government Advocate submitted that in the instant case, if



the video is uploaded in any site, it can be blocked or deleted and it can also be ensured that it does not resurface. However, unfortunately the video has been forwarded through whatsapp and as a result, there is no mechanism to stop or detect this process, since it is encrypted end to end.

5. This is an unfortunate case, where the victim got into a relationship with the 5th respondent and the 5th respondent taking advantage of the same has managed to record an inappropriate video, which was forwarded by him through whatsapp. It was rightly submitted by the learned Government Advocate that if it is uploaded in any site, it can be blocked or deleted. However, if it is forwarded through whatsapp, there is no mechanism to stop this process and to prevent those persons who have received the video from further forwarding it to others.

6. The case in hand reflects yet another pitfall due to the digital platform being abused by persons suffering from perversity. The evolution of human beings through millions of years has never faced the situation that is now faced for the last 35 years. The brain of a human being is yet to comprehend the cyber space and it is assuming that in the cyber space, there are only two people namely the person, who makes the call and the person who receives it and it conceives the space like a closed room. However, the brain is yet to realise that the cyber space is a different world, where it is open to the entire world to witness it. Unfortunately, the victim in this case was exposed to an inappropriate



video which she honestly believed that the 5th respondent will never misuse.

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7. In the case in hand, the respondents can at the best block or delete the video from being uploaded in any site. However, if it is forwarded in the whatsapp, it is not possible for the respondents to track it. Therefore, as and when the petitioner gets information that the video is being forwarded, it is left open to the petitioner to inform the investigation officer and give the particulars. On receipt of such information, the investigation officer is directed to seize the mobile phone and send it to the forensic lab for getting the report and it can also be made part of the material object in the case. To that extent, this Court is inclined to come to the aid of the victim.

8. The 4th respondent police is directed to complete the investigation as expeditiously as possible and file the police report before the concerned jurisdictional Court.

9. This writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

20-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.

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