



Crl.R.C.No.2226 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2025

CORAM:

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

Crl.R.C.No.2226 of 2024

L.M.Karthick

.....

Petitioner

Vs

State represented by
Inspector of Police,
Cyber Crime Police Station,
Puducherry
Crime No.15 of 2020.

.....

Respondent

PRAYER: Criminal Revision Case is filed under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the Judgment passed in Crl.Appeal No.29 of 2023 on the file of the II Additional Sessions Judge at Puducherry, dated 17.10.2024, confirming the Judgment dated 31.03.2023 passed in C.C.No.45 of 2022 on the file of the Chief Judicial Magistrate at Pondicherry.

For Petitioner : Mr.S.Sarath Chandran

For Respondent : Mr.A.Alexander
Government Advocate (Crl.side),
Puducherry.



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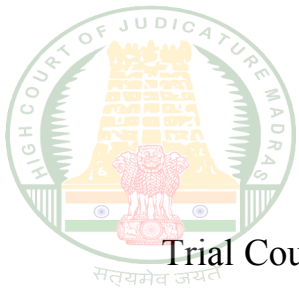
ORDER

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This Criminal Revision has been filed challenging the Judgment dated 17.10.2024 passed in C.A.No.29 of 2023 on the file of the II Additional Sessions Judge, Puducherry, thereby confirming the order of conviction and sentence imposed in C.C.No.45 of 2022 on the file of the Chief Judicial Magistrate, Puducherry dated 31.03.2023, for the offences punishable under Section 67 of the Information Technology Act, 2000 and Section 294(b) of IPC.

2. The case of the prosecution is that both the defacto complainant and the accused were working as labourers at MRF Company, Puducherry. While being so, on 09.08.2020, the petitioner had recorded three Whatsapp audio messages with the intention to damage the reputation of the defacto complainant and the wives of his friends and forwarded the same to other Whatsapp groups, thereby outraging their modesty.

3. Based on the complaint, the respondent registered an FIR in Crime No.15 of 2020 for the offences punishable under Sections 294(b), 509 of IPC and Section 67 of the Information and Technology Act, 2000. After completion of the investigation, a final report was filed before the learned Chief Judicial Magistrate, Puducherry and the same was taken cognizance by the



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Trial Court in C.C.No.45 of 2022.

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4. Before the Trial Court, the prosecution had examined P.Ws.1 to 9 and marked Exs.P1 to P7. On the side of the accused, no witnesses were examined and no documents were marked. On perusal of the oral and documentary evidence, the Trial Court found the petitioner guilty of the offence punishable under Section 67 of the Information Technology Act, 2000 and sentenced him to undergo two years of rigorous imprisonment and to pay a fine of Rs.10,000/-, in default of which, to undergo simple imprisonment for a period of four weeks. The petitioner was also convicted for the offence under Section 294(b) of IPC and sentenced to undergo three months simple imprisonment and to pay a fine of Rs.1,000/-, in default of which, to undergo simple imprisonment for a period of one week. Aggrieved by the same, the petitioner preferred an appeal in C.A.No.29 of 2023 before the II Additional Sessions Judge, Puducherry, which was dismissed by an order dated 17.10.2024. Hence, the present criminal revision has been filed by the petitioner.

5. Heard the learned counsel appearing on either side and perused



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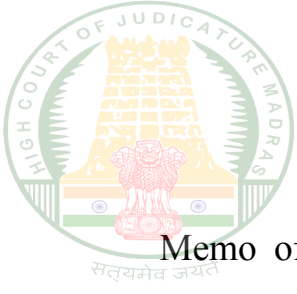
the materials available on record.

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6. Pending revision, the petitioner and the defacto complainant have entered into a compromise. Accordingly, they had executed a Joint Memo of Compromise dated 05.07.2025 and produced before this Court. Further, both the petitioner as well as the defacto complainant appeared before this Court and the defacto complainant deposed that he has no objection to setting aside the conviction and sentenced imposed by the Trial Court and confirmed by the Appellate Court.

7. In view of the amicable settlement arrived at between the parties, and considering that the offences are compoundable in nature, this Court is inclined to set aside the conviction and sentence imposed by the Trial Court.

8. Accordingly, the Judgment dated 17.10.2024 passed in C.A.No.29 of 2023 on the file of the II Additional Sessions Judge, Puducherry, confirming the order of conviction and sentence imposed in C.C.No.45 of 2022 on the file of the Chief Judicial Magistrate, Puducherry dated 31.03.2023, is hereby set aside and this Criminal Revision Case stands allowed. The terms of Joint



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Memo of Compromise, dated 05.07.2025 shall form part and parcel of this order.

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10.07.2025

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

1. The II Additional Sessions Judge,
Puducherry.

2. The Chief Judicial Magistrate,
Puducherry.

3. The Inspector of Police,
Cyber Crime Police Station,
Puducherry

4. The Public Prosecutor (Puducherry),
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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