



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 31422 of 2025

and

CrI.M.P.No.21605 of 2025

1. Chansha.N

S/o.Nazeerdheen, No. 4/6, Pari Vallal
Street, Gandhipuram, Suleshwaran
Patti, Pollachi, Coimbatore- 642 006.

Petitioner(s)

Vs

1. State Rep. by The Sub Inspector of
Police
CCB Police Station, Tiruppur City.

2.T.Sindhuja

S/o.Thangapandian, Door No. 169,
Parappalayam, Mannarai post,
Tiruppur- 641 607.

Respondent(s)

PRAYER: Criminal original petition filed under Section 528 of BNSS to call for the records relating to the impugned proceedings in C.C.No. 716/2019 on the file of the learned Judicial Magistrate Additional Mahila Court, Tiruppur District and quash the same.

For Petitioner(s): Mr.R.C.Paul Kanagaraj

For Respondent(s): Mr.R.Vinothraja
Govt. Advocate (Crl.Side)
for R1

**ORDER**

This criminal original petition has been filed to quash the case in C.C.No. 716/2019 on the file of the learned Judicial Magistrate Additional Mahila Court, Tiruppur District.

2.The case of the prosecution is that the de facto complainant is living with her parents in Door.No.169, Mannarai, Parapalayam, Tiruppur. She is a M.Sc., in Fashion Designing graduate, working in a clothing designing company and looking for a bridegroom. In this situation, on 05.08.2018 her cousin Arun Anthony came to her house in panic. While he was seeing Facebook, in Loconta advertisement Url id <https://tiruppur.locanto.net/ID-2707831874/TEEN-GIRLS-73393-COLLEGE-98415-MODELS-AT-TIRUPUR-CITY.html> and Url id <https://salem.locanto.net/ID-2570121934/KERALA-81220-SAREE-GIRLS-85622-TAMIL-COLLEGE-GIRLS-AT-SALEM-CITY.html>, he saw the de facto complainant's photo. In the Locanto website TEEN GIRLS 73393 COLLEGE 98415 MODELS AT TIRUPUR CITY – 21 the de facto complainant's photo was attached and it was mentioned as follows:-

“CALL MRRAGHU 7339398415 KERALA COLLEGE GIRLS, SAREE GIRLS TAMIL COLLEGE TAMIL AND KERALA AUNTIES FOR SERVICE BEST SELECTION AVAILABLE RANGE STARTS FROM ONE HOUR 3000-5000



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TWO HOUR 5000-7000 FULL NIT 10000-25000 ALL TYPE OF SERVICES ANAL SEX ORAL SEX HUGGING SUCKING BLOWIDE LIPLOCK SAFE PLACE WITH AC ROOMS GENUINE SERVICES OFFERED BEST ESCORTS IN SALEM CITY CALL AND BOOK YOUR SERVICE LOD KERALA 81220 SAREE GIRLS 85622 TAMIL COLLEGE GIRLS AT SALEM – CITY – 22 Mr.AKILAN: 8122085622”.

That photo was taken from the de facto complainant's Facebook page. Since her photo was misused, the de facto complainant was subjected to mental agony and she felt ashamed by the enquiry from the friends and relatives about the Facebook post. The de facto complainant was in a suicidal mental state. The de facto complainant's brother Arun Anthony pacified her and contacted the phone number found in the advertisement. While trying to contact the phone, one Mr.Prasanth from Pollachi demanded payment of Rs.3,000/- to SBI Account Number.32506471184, Chinnaammalayam Branch and disconnected the call. The de facto complainant gave a complaint to the respondent to take action against the persons who misused her photo in the Locanto Website with a wrong identification and defamed her. Hence, the complaint has been lodged.

3.Based on the complaint lodged by the de facto complainant, a case in Crime No.20 of 2018 was registered against the petitioner and after completing the investigation, the 1st respondent had filed a final report in C.C.No.716 of



2023 for the offences under Sections 43 r/w 66, 66C, 66 D. 67, 67 A of the IT Act, 2000 and 4 of the TN Prohibition of Harassment of Women Act 2002 & 417, 419, 420 509 r/w 109 IPC.

4.Challenging the final report, the present quash petition has been filed by the petitioner/A2.

5. Mr.R.C.Paul Kanagaraj, learned counsel for the petitioner, submitted that the allegation against the petitioner is that he has abetted the main accused by purchasing cell numbers which have not been illegally used by him. He further submitted that there is absolutely no material to implicate the petitioner. The first accused has given a confession, wherein, he has not spoken about having received the sim card from the petitioner.

6.Per contra, the learned Govt. Advocate (Crl.Side) for the first respondent submitted that there are statements of LWs 8 & 9, who say that when they were going to purchase sim card from the petitioner, the petitioner had unauthorisedly taken their finger print and has issued two sim cards in the names of LWs 8 & 9 and had, in turn, handed over the same to A1 and thereby, a case of abetment is made out against the petitioner and whether the petitioner has given the sim card or not is a matter for evidence and that cannot be decided in a quash petition and he would seek dismissal of the petition.



7.I have gone through the materials available on record and considering the submissions made by the respective counsel, this Court finds that LWs 8 & 9 have spoken categorically about the acts done by the petitioner and there are materials. At this juncture, this Court finds that it is not a case fit for quashing. Accordingly, the criminal original petition is dismissed.

8.At this juncture, the learned counsel for the petitioner requested that the presence of the petitioner before the trial Court may be dispensed with.

9.In view of the above request, the personal appearance of the petitioner before the trial Court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment, or any other date as may be required by the trial Court for the purpose of identification. Further, the petitioner shall file an affidavit of undertaking that he will appear before the Court concerned that in the event of the trial Court requiring his presence for the purpose of identification, and also on the date when LWs 8 & 9 are examined.

18-11-2025

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



Neutral Citation: Yes/No
sms

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To

1. The Sub Inspector of Police
CCB Police Station, Tiruppur City.

2. T. Sindhuja
S/o. Thangapandian, Door No. 169,
Parappalayam, Mannarai post,
Tiruppur- 641 607.

3. The Judicial Magistrate Additional Mahila Court,
Tiruppur District.

4. The Public Prosecutor
High Court, Madras.



3.

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A.D.JAGADISH CHANDIRA J.

sms

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