



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR JUSTICE **A.D.JAGADISH CHANDIRA**

CRL OP No. 2379 of 2026
and CrI.M.P.No.1589 of 2026

H.Mydeen Batcha

..Petitioner

Vs

1. The State Rep. by
The Inspector of Police,
Cyber Crime Police Station, CCD-II,
Tiruppur District.
(Cr.No.35 of 2024)

2. P.Rajesh

..Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records culminating in Crime No.35 of 2024, pending on the file of the Cyber Crime Police Station, CCD-II, Tiruppur District, and quash the same.

For Petitioner : Mr.S.Bharanidharan

For Respondent : Mr.S.Santhosh,
Government Advocate (Criminal Side) For R1

ORDER

The present Criminal Original Petition is filed to quash the First Information Report in Crime No.35 of 2024, pending on the file of the Cyber Crime Police Station, CCD-II, Tiruppur District.



2. Based on the complaint given by the *de facto* complainant/R2, a case in Crime No. 35 of 2024 was registered on the file of the first respondent Police against the petitioner, for the offences under Sections 420 of IPC and Section 66 D of IT Act.

3. The learned counsel appearing for the petitioner submitted that as per the complaint, an amount of Rs.2,50,000/- is alleged to have come to the account of the petitioner by way of second layer. The petitioner was arrested and during the hearing of the bail petition, the petitioner had repaid a sum of Rs.2,50,000/- to the *de facto* complainant, Therefore, he submitted that no useful purpose would be served by keeping the impugned proceedings pending against the petitioner in connection with Crime No.35 of 2024 and the same is liable to be quashed.

4. *Per contra*, the learned Government Advocate (Criminal Side) appearing for the first respondent police submitted that the *de facto* complainant has been cheated to a tune of Rs.24,00,000/- and an amount of Rs.2,50,000/- has been transferred to the petitioner's account by way of second layer. He further submitted that apart from this case pending as against the petitioner, there are several other cases pending before the States of Delhi, Rajasthan, Uttar Pradesh, Karnataka, Maharashtra and Telengana against the petitioner. He also submitted that investigation is at the nascent stage. Since it is a cyber/digital offence, the



FIR cannot be quashed at the initial stage without conducting further investigation. Therefore, he prayed for dismissal of this Criminal Original Petition.

5. Considering the aforesaid submission made by the learned Government Advocate (Criminal Side) appearing for the first respondent and taking into consideration the fact that the investigation is at the initial stage and also several other cases pending against the petitioner in other States, this Court is not inclined to quash the case in Crime No.35 of 2024, pending on the file of the first respondent police. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed. However, this Court directs the respondent police to complete the investigation and file a final report before the Court concerned as expeditiously as possible preferably within a period of six months from the date of receipt of copy of this order.

04-02-2026

SRM

To

1. The Inspector of Police,
Cyber Crime Police Station, CCD-II,
Tiruppur District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

SRM

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