

CRL OP(MD). No.13858 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19/01/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.13858 of 2024

and

CRL MP(MD). No.8577 of 2024

Sowdhamani

... Petitioner

Vs

1. The Inspector of Police,
CCD-III, District Police Station,
Trichy. Crime No.12/2024.

2. A.K.Arun

... Respondents

PRAYER :-

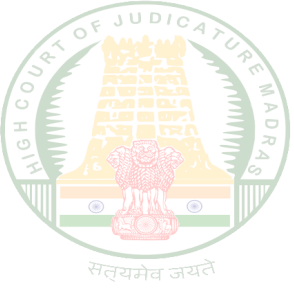
To call for the records in Crime No.12/2024 on the file of the 1st
Respondent Police and quash the same.

For Petitioner : Mr.R.C.Paul Kanagaraj,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to call for the records in
Crime No.12/2024 on the file of the 1st Respondent Police and quash the
same.



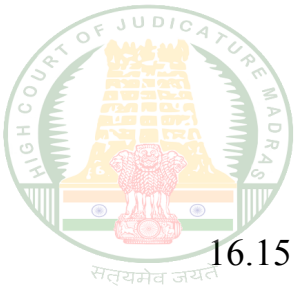
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2. Learned Counsel for the petitioner submitted that for commenting on a shared post on social media site, the first information report in Crime No.12 of 2026 came to be registered as against the petitioner, who is a woman, for the offences under Sections 504, 505(1) (b), 153 of IPC, 66E IT Act, 2008, 74, 77 of the Juvenile Justice Act, 2015. The case of the prosecution is that the de-facto complainant who is the District Information Technology Coordinator and Sirukamani Municipal Councilor in Trichy District, of a political party who has the habit of watching the social media every day, had identified on 5/3/2024 at about 11:00 AM that the de-facto complainant had commented in a shared a post as follows:

"பார்க்கும்போதே மனது வலிக்கிறது.
வருங்கால இந்தியாவின் தூண்கள் இப்படி அலங்கோலப்பட்டு
கிடக்கிறதே! திராவிட மாடல் இந்த வருங்கால தலை-
முறையின் எதிர்காலத்தை சிதைக்கும்
கொடுமைகளைத்தானே செய்கிறது. மது... கஞ்சா...
திராவிட ஆட்சி தமிழகத்திற்கு சாபக்கேடு."

The video displayed three minor girls in school uniform holding liquor bottle and drinking it. The accused shared the post on 04.03.2024 at



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16.15 p.m. Since the de-facto complainant on watching the same had given a complaint, a first information report came to be registered for the offences punishable under Sections 504, 505(1)(b), 153 of IPC, 66E IT Act, 2008, 74, 77 of the Juvenile Justice Act, 2015. Learned counsel for the petitioner sought for the indulgence of this Court by quashing the first information report.

3. Per contra, learned Government Advocate submitted that the video had displayed the face of the minor girls, who are supposed to be the students of Puducherry Union Territory. Hence the offences are clearly made out. Since the act of sharing of the said post would amount to commission of offence under the various sections given, a case has been registered since the same had violated the privacy of the minor girls involved and sought for dismissal of this Criminal Original Petition.

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

5. Section 74 of the Juvenile Justice (Care and Protection of Children) Act, 2015, strictly prohibits disclosing the identity of a child



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involved in legal proceedings whether as a victim, witness, or in conflict with the law across all media forms. No report in any newspaper, magazine, or audio-visual media can disclose any information that could reveal the identity of the child. In the said provision, it has been mandated that while dealing with any investigation, inquiry or judicial procedure, the identity of minor children involved should not be disclosed. However, in the instant case, the petitioner has nothing to do with any inquiry or investigation or judicial procedure.

6. But it is a video which has been shared in the X Site, in which the petitioner had commented about the nature of administration which is being rendered by the Ruling Party in the state of Tamil Nadu. That apart, Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, deals with respect to giving intoxicating liquor or narcotic drug or psychotropic substance to a child. However, in the instant case, it is not the petitioner who had given intoxicating liquor, narcotic drug, intoxicating liquor to the minor girls.

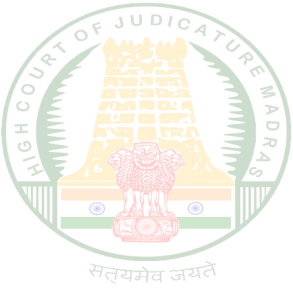


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7. Hence, offences under Juvenile Justice (Care and Protection of Children) Act, 2015, are hereby quashed.

8. As far as the offences under Section 66E of the Information Technology (Amendment) Act, 2008, it is with respect to invasion of privacy of persons in visual media. However, it is not the petitioner who had shared the video of the minor children but the petitioner is the one who had commented on a video which was shared by some third party. Hence the offence under Section 66E of the IT Act will also not be made out and the same is quashed.

9. Obviously, neither alarm nor any disturbance is caused to the public and no complaint has been obtained from any of the public, in this regard except the defacto complainant who is none other than a member of one political party, who had lodged a complaint with political vindication against the petitioner who appeared to be a supporter of another political party. Therefore, the offenses under Sections 504, 505(1)(b), 153 of IPC, are not made out.



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10. Accordingly, the impugned first information report in Crime No.12 of 2024 on the file of the first respondent police is quashed and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition stands closed.

19.01.2026

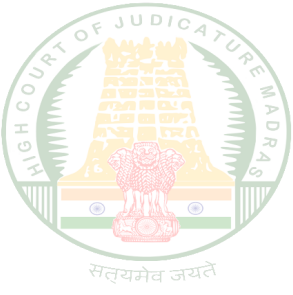
NCC : yes / no
Index : yes / no
Internet : yes / no

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To

1. The Inspector of Police, CCD-III, District Police Station,
Trichy. Crime No.12/2024.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI, J

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ORDER
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