



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

CRIMINAL PETITION NO. 8217 OF 2023

(482(Cr.PC) / 528(BNSS))

BETWEEN:

1. SRI. PRAMOD SHIVASHANKAR
AGED ABOUT 36 YEARS
S/O SHIVASHANKAR
R/AT NO.22, SKANDA NILAYA
VAJAPEYA LAYOUT, BOMMANAHALLI
BENGALURU - 560 068.

...PETITIONER

(BY SRI. SHRIDHARAMURTHY H R., ADVOCATE)

AND:

1. SMT. VAISHNAVI
AGED ABOUT 32 YEARS
W/O PRASAD SHIVASHANKAR
R/AT NO.24, SUDHA NILAYA
1ST A CROSS, VISHWAPRIYA LAYOUT
BEGUR ROAD, BENGALURU - 560 068.

...RESPONDENT

(BY MS. SHIREESHA S., ADVOCATE FOR
SRI. K.N. SUBBA REDDY ASSTS.)





THIS CRIMINAL PETITION IS FILED U/S 482 CR.PC PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.16087/2022, PENDING ON THE FILE OF I ADDITIONAL CHIEF METROPOLITAN MAGISTRATE COURT, BENGLAURU, FOR THE ALLEGED OFFENCES P/U/S 499 AND 500 OF IPC, SEC. 66(c), 66(d) AND 67(A) OF INFORMATION TECHNOLOGY ACT AGAINST THE PETITIONER, ETC.

THIS PETITION, COMING ON FOR ADMISSION THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

1. The criminal petition is filed with the following prayers:

"(a) Call for records in C.C No.16087/2022, pending on the file of I Additional Chief Metropolitan Magistrate Court, Bengaluru;

(b) Quash the entire proceedings in C.C No.16087/2022, pending on the file of I Additional Chief Metropolitan Magistrate Court, Bengaluru, for the alleged offences punishable under Section 499 & 500 of IPC, Section 66 (c), 66(d) and 67(A) of Information Technology Act, against petitioner herein, vide ANN-A.

(c) Quash the order dated 13.06.2023, passed in C.C No.16087/2022 by I Additional Chief Metropolitan



Magistrate Court, Bengaluru, for the alleged offences punishable under Section 499 & 500 of IPC, Section 66 (c), 66(d) and 67(A) of Information Technology Act, vide Annexure-B.

(d) And to pass such other necessary order as this Hon'ble court deems fit to pass in the interest of justice and equity."

2. The respondent is the estranged sister-in-law of the petitioner. She is married to the brother of the petitioner. The allegation made by the respondent is that on account of the matrimonial dispute, the petitioner has been harassing the respondent and defaming her, by way of creating fake social media accounts. It is alleged that one such account is created as though it belongs to the respondent and she is portrayed as a call girl looking for men. It is further alleged that in some other accounts, identity of the account holder is not revealed and a lot of defamatory messages are mentioned. It is submitted that the said social media accounts are not private in nature and any random person can view it thereby giving the content a wide degree publicity. For the aforementioned



reasons, the respondent preferred a complaint under Section 200 of Cr.P.C. The trial court took cognizance of the offences punishable under Sections 499 and 500 of IPC, 66(C) and 66(D) of the Information Technology Act, 2000 ('IT Act' for short). After recording the sworn statement and evidence before charge, an order has been passed charging the accused/petitioner for the offences punishable under Sections 499 read with 500 of IPC and Sections 66(C), 66(D) and 67(A) of IT Act. The same is challenged in the present petition.

3. The case of the petitioner is that he is not guilty of the offences alleged. He further submits that he has not created any of the fake social media accounts as alleged by the respondent. He also submits that even presuming that the petitioner has created fake social media accounts, the allegations made in the complaint do not constitute the offences as alleged.



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4. The allegation against the petitioner is that creating of fake social media accounts which are accessible in the public domain can be viewed by general public and that the contents of the said social media accounts, suggesting that the respondent is a prostitute and calling her and her family members names and making derogatory remarks against them, definitely if proved against the petitioner, have to be considered as defamatory in character. Further, creation of a fake social media account in the name of the respondent does amount to an offence under Section 66C of the IT Act. Based on the sworn statement and the material produced, the trial court has come to the conclusion that *prima facie*, a fake social media account has been created in the name of the respondent and there are certain other fake social media accounts, which are created carrying defamatory statement against the respondent and has decided to frame charge against the petitioner as aforementioned. I do not see any error in the same.



5. For the aforementioned reasons, the criminal petition is hereby dismissed.

Sd/-
(M.I.ARUN)
JUDGE

hkh.

List No.: 1 Sl No.: 27