



W.P.Crl.(MD) No.4187 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.Crl.(MD).No.4187 of 2026

G.Thirumurugan @ Theeran Thirumurugan

Petitioner

Vs

- 1.The State of Tamilnadu,
Rep by,
The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.
- 2.The Commissioner of Police,
o/o.The Commissioner of Police,
Madurai City,
Madurai.
- 3.The Inspector of Police,
Cyber Crime Police Station,
Madurai District.
- 4.Bismi
- 5.Tamilan Gokul

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's complaint dated 02.07.2026 and to take



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appropriate action in accordance with law against the respondents 4 and 5 within a time frame to be stipulated by this Court.

For Petitioner : Mr.P. Prabhakar Pandian

For R-1 to R-3 : Mr.D.Rajaboopathy,
Government Advocate (Crl. side)

ORDER

The present Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's complaint dated 02.07.2026 and to take appropriate action in accordance with law against the respondents 4 and 5 within a time frame to be stipulated by this Court.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the State Coordinator of the Naam Tamilar Katchi and is also a practising Advocate before the District and Sessions Court, Ramanathapuram, as well as before the Madurai Bench of the Madras High Court. Mr. Senthamilan Seeman is the Chief Coordinator of the said political party. It is the grievance of the petitioner that the respondents 4 and 5, who are content creators on social media platforms, have published and circulated videos

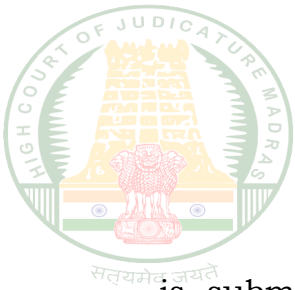


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containing ridicule, sarcasm and satirical commentary directed against the said political leader. It is further alleged that the contents transcend the permissible limits of political criticism and contain baseless allegations, slanderous imputations and offensive personal attacks.

3. Elaborating the grievance, the learned counsel submitted that the petitioner came across a YouTube video containing morphed images of Mr. Senthamilan Seeman coupled with abusive, derogatory and highly offensive expressions in Tamil. According to the petitioner, the contents are not merely critical of a political personality but are intended to insult and defame him through vulgar and indecent expressions. Aggrieved by the circulation of such material, the petitioner lodged a complaint on 02.07.2026 before the respondents 1 to 3 requesting initiation of appropriate criminal action. Since no effective action was forthcoming, the present writ petition has been instituted.

4. Per contra, the learned Government Advocate (Criminal Side) submitted that the complaint has already been taken on file. It



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is submitted that CSR No.1112 of 2026 has been registered on 25.07.2026 and that summons were issued to the petitioner on 16.07.2026, 20.07.2026 and 24.07.2026 requiring his appearance for enquiry. According to the learned Government Advocate, the petitioner has not extended his cooperation to the investigation and therefore the enquiry could not be proceeded with expeditiously.

5. Refuting the said submission, the learned counsel for the petitioner contended that the allegation regarding non-cooperation is factually incorrect. According to him, despite the complaint having been lodged on 02.07.2026, no prompt or meaningful investigative steps had been undertaken by the respondent police and the issuance of summons cannot be treated as substantial compliance with the statutory obligation to investigate cognizable allegations relating to cyber offences.

6. This Court has carefully considered the rival submissions and perused the materials available on record.

7. It is not in dispute that the petitioner submitted a complaint as early as on 02.07.2026 alleging dissemination of objectionable

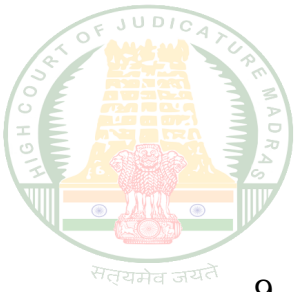


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and offensive content through online media platforms. Though the respondent police would contend that CSR No.1112 of 2026 has subsequently been issued, the records disclose that the complaint has not been acted upon with the promptitude expected in matters involving digital publications. In cyber-related offences, delay often results in disappearance of electronic evidence, alteration of online content and difficulty in tracing digital footprints. Therefore, prompt intervention by the investigating agency assumes considerable significance.

8. The primary obligation of the investigating agency at this stage is not to adjudicate upon the correctness of the allegations but to secure the electronic evidence, identify the digital source from which the impugned material has emanated, preserve the relevant electronic records in accordance with law and thereafter proceed with the investigation on its own merits. Such investigation has to be conducted impartially, uninfluenced by the political affiliation of either the complainant or the persons against whom the allegations are made.



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9. This Court is conscious that in a constitutional democracy, the right to freedom of speech and expression occupies a cherished position. Equally, such freedom is not absolute and remains subject to the reasonable restrictions recognised under Article 19(2) of the Constitution of India. The law does not permit publication of content which may amount to commission of cognizable offences merely because the subject matter concerns a political personality. Conversely, the investigating agency cannot adopt different standards while responding to complaints depending upon the political identity of the individuals involved.

10. Consistency in law enforcement constitutes an indispensable component of the rule of law. Whenever allegations are made regarding dissemination of unlawful online content attracting penal consequences, the investigating agency is expected to respond with equal promptitude irrespective of whether the complaint pertains to members of the ruling party, the opposition or any other political organisation. The neutrality of the police forms the very foundation of public confidence in the criminal justice administration.



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11. In the facts of the present case, this Court is of the considered view that appropriate directions deserve to be issued to ensure a fair and effective investigation.

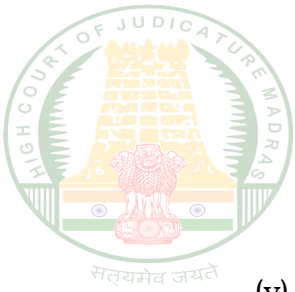
12. Accordingly, the third respondent is directed:

(i) to expeditiously process the petitioner's complaint dated 02.07.2026 in accordance with law;

(ii) to identify the relevant social media accounts, YouTube channels, Uniform Resource Locators (URLs), user identifiers and other digital particulars connected with the impugned publications;

(iii) to take immediate steps for preservation of electronic evidence, including obtaining and securing all relevant digital records in accordance with the provisions governing electronic evidence under the Information Technology Act, 2000 and other applicable statutory provisions;

(iv) to initiate appropriate action in accordance with law against the respondents 4 and 5, if the materials collected during investigation disclose commission of any cognizable offence; and



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(v) wherever legally permissible and considered necessary during investigation, to initiate appropriate proceedings before the competent authority or intermediary for disabling or removing the impugned content in accordance with the procedure established by law.

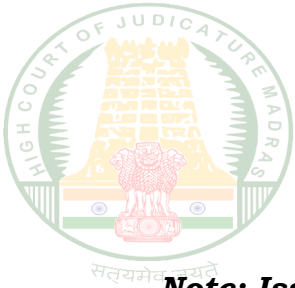
13. The respondent police shall proceed with the investigation strictly on its own merits, uninfluenced by any observations contained in this order, except to the extent of ensuring prompt consideration of the petitioner's complaint and preservation of the electronic evidence.

14. Post this matter under the caption "For Reporting Compliance" on 29.07.2026.

15. With the above directions, this Writ Petition is disposed of.

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sml



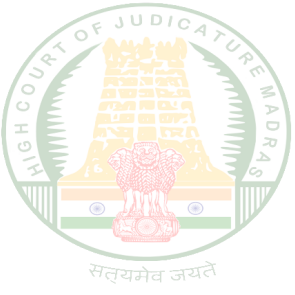
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Note: Issue order copy on 28.07.2026.

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To

- 1.The Superintendent of Police
O/o.The Superintendent of Police
Madurai District.
- 2.The Commissioner of Police,
o/o.The Commissioner of Police,
Madurai City,
Madurai.
- 3.The Inspector of Police,
Cyber Crime Police Station,
Madurai District.
4. The Addl. Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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