



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 16661 of 2023

and

CRL.M.P.No.10655 of 2023

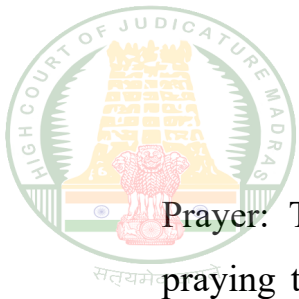
1. S.R.Ramesh
S/o. S. Ranganatham, Managing Director,
Lakshmi Packaging (p) Ltd. 58 Town Railway
Station, Salem - 636001.
2. S.R. Murali
S/o. S. Ranganatham, Managing Director,
Lakshmi Packaging (p) Ltd. 58 Town Railway
Station, Salem - 636001.
3. S.R. Venkatesan
S/o. S. Ranganatham, Managing Director,
Lakshmi Packaging (p) Ltd. 58 Town Railway
Station, Salem - 636001.
4. S.R.Kandasamy
S/o. S. Ranganatham, Managing Director,
Lakshmi Packaging (p) Ltd. 58 Town Railway
Station, Salem - 636001.
5. R.Tanuj
S/o. S.R. Ramesh, Executive Director, Lakshmi
Packaging (p) Ltd. 58 Town Railway Station,
Salem - 636001.

..Petitioner(s)

Vs

K.Murthi
S/o. Kolanzhagounder, 1/134, Nadu Street,
Kuttaladampatti, Thottivalasu,
Rasipuram - 636301.

..Respondent(s)



Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in CC.No. 1241 of 2022 now pending trial in Judicial Magistrate No.1, Salem and quash the proceedings.

For Petitioner(s):	Mr.Venkatesh Prasad for M/s. T.S.Gopalan And Co
For Respondent(s):	No appearance

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No. 1241 of 2022 pending on the file of the learned Judicial Magistrate No.1, Salem.

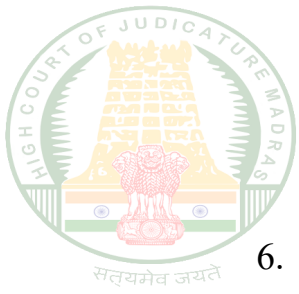
2. The case arises out of a private complaint and has been taken on file for the alleged offences under Sections 34, 120(b), 342, 500 and 506(2) IPC. A perusal of the complaint shows that the complainant was employed in the manufacturing unit run by M/s.Lakshmi Packaging Private Limited. The allegation of the complainant is that the accused, who are the Managing Director and Directors of the Company, conspired together and suspended him from service despite his sincere performance of duties. It is further alleged that Accused Nos.1 to 4 instigated Accused No.5, a member of the management staff, to pick quarrels with him on several occasions with the intention of reducing the strength of the employees in the company.



3. According to the complainant, on 25.01.2020, when he reported for duty, he was not permitted to punch his attendance card and was wrongful prevented from entering the workplace. It is further alleged that when he sought to report the matter, he was wrongfully confined from 6.05 a.m. till 12.00 noon without even being provided water. During the said period, he was allegedly threatened and humiliated. It is also stated that when the complainant posted certain short stories authored by him on social media, he was suspended from service. A police complaint was also lodged against him and he was allegedly made to remain in the police station for an entire day.

4. The complaint further refers to the disciplinary proceedings initiated against the complainant, including the issuance of a charge memo, appointment of an Advocate as an Independent Enquiry Officer and the eventual termination of his services. It is also stated that an Industrial Dispute in I.D.No.18 of 2021 is pending in relation to the said termination. Thereafter, the present private complaint came to be filed.

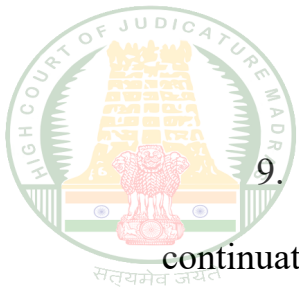
5. The principal contention of the learned counsel for the petitioners is that a reading of the complaint would clearly show that the dispute is essentially a labour dispute which has been given a criminal colour. It is further submitted that, subsequent to the termination, an approval application was filed before the competent Labour Court and the same has also been allowed.



6. Though notice has been served on the respondent, there is no representation on his behalf.

7. I have carefully considered the submissions made by the learned counsel for the petitioners and perused the materials available on record. On a reading of the complaint as a whole, it is evident that the allegations arise out of the employer-employee relationship and the disciplinary proceedings culminating in the termination of the complainant's services. The grievances projected in the complaint substantially relate to alleged unfair labour practices and the actions of the management in the course of employment. These are matters which fall within the domain of the Labour Court and are already the subject matter of proceedings before the competent forum.

8. This Court is of the view that the dispute is predominantly labour in nature and has been dressed up as a criminal case. The attempt to prosecute the managing Director and the Directors of the company on the basis of the allegations contained in the complaint cannot be sustained. The issues raised by the complainant are matters to be agitated before the Labour Court in the pending proceedings relating to his termination.



9. In such circumstances, this Court is of the considered view that the continuation of the criminal proceedings would be oppressive against the petitioners.

10. Accordingly, this Criminal Original Petition stands allowed. The proceedings in C.C.No.1241 of 2022 pending on the file of the learned Judicial Magistrate No. I, Salem, are hereby quashed.

11. It is made clear that the respondent shall be at liberty to pursue all remedies available to him before the Labour Court and other competent fora, and he shall not be prejudiced in any manner by virtue of the quashing of the present criminal complaint.

Consequently, connected miscellaneous petition is closed.

08-07-2026

Neutral Citation: Yes/No

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To

The learned Judicial Magistrate No.1, Salem.



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CRL OP No. 16661 of 2



D.BHARATHA CHAKRAVARTHY, J.

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