

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.07.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.15387 of 2015

Ramesh Kumar

.. Petitioner

Vs

1.The Commissioner of Police,
EVK Sampath Road, Vepery,
Chennai.

2.The Inspector of Police [Law and Order]
C3, Seven Wells Police Station,
Chennai.

3.The Inspector of Police [Crime],
C3, Seven Wells Police Station,
Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to pass an order directing the respondents to transfer the investigation in Cr.No.494 of 2015 pending on the file of the 2nd respondent to CCB or any other dedicated team established to investigate offences under the Copy Rights Act.

For Petitioner : Mr.R.Ganesh Kumar

For Respondents : Mr.C.Emalias, Addl. Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation in Cr.No.494 of 2015 pending on the file of the 2nd respondent to CCB or any other dedicated team established to investigate offences under the Copy Rights Act.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is the case of the prosecution that he is the Manager of the concern M/s.Royal Food Products deals with Basmati rice supplied by M/s.KRBL India Ltd. under the brand of 'Unity Basmati Rice'. The company M/s.KRBL India Ltd. is a copy right holder of the brand

'Unity Basmati Rice' vide registration No.A76619/2006 dated 19.06.2006.

4. It is the further allegation of the petitioner that the accused herein are adopting an ingenious method to sell spurious rice under the cover of 'Unity Basmati Rice', thereby not only violating provisions of Copy Right Act, but also they are selling substandard rice. The modus operandi is to collect the empty gunny bags from various purchasers of the original brand of 'Unity Basmati Rice' and load the substandard rice in those bags and market them. An investigation of this nature requires special acumen and skill.

5. Therefore, this Court is of the view that this is a fit case to transfer investigation in Crime No.494 of 2015 from the file of C3 Seven Wells Police Station to the file of the Deputy Commissioner of Police, CCB, who shall allot the case to a competent officer for investigation. The Inspector of Police, C3 Seven Wells Police Station is directed to handover the case diary and all other materials relating to Crime No.494 of 2015 within one week, from the date of receipt of a copy of this order to the Deputy Commissioner of Police, CCB.

In the result, this Criminal Original Petition is allowed.

gya

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

- 1.The Commissioner of Police,
EVK Sampath Road, Vepery, Chennai.
- 2.The Inspector of Police [Law and Order]
C3, Seven Wells Police Station, Chennai.
- 3.The Inspector of Police [Crime],
C3, Seven Wells Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court, Madras.
5. The Deputy Commissioner of Police,CCB.
+ 1 cc to Mr.R.Ganeshkumar, Advocate SR 33809

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