

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26832 of 2015

M/s Media One Innovation Private Ltd.,
rep. By its Managing Director,
Mr.V.P.Balaji
No.3rd Floor, Rangamandiram,
Old No.10, New No.17, Car street,
Triplicane, Chennai - 600 005 ...Petitioners

Vs

The Sub Inspector of Police,
EDF Wing, Team - 1
Central Crime Branch,
Chennai ...Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondent to register the complaint of
the petitioner dated 15.07.2015 and to investigate the same in
accordance with law.

For Petitioner : Mr.G.Mohanakrishnan

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

O R D E R

The present criminal original petition has been filed to
direct the respondent to register the complaint of the
petitioner dated 15.07.2015 and investigate the same in
accordance with law.

2. The petitioner is carrying on the business of
advertisements agency in the name and style of M/s Media One
Innovation Private Limited. One Vasaavi Housing Infrastructure
Limited, represented by Directors, namely, Krishnaprasad,
Badrinath and Ravindranath Pasumurthy and M/s Vasavi Meppur
Constructions Private Limited, rep. By his Directors Harish
Dayaram Gagwani, Krishnaprasad, Badrinath, Ravindranath. Rajiv
Sajjankumar and Deepti Ashish Baru have appointed the petitioner

as an official agency for Print Media Advertisement and Electronic Media Advertisements vide their letter dated 10.09.2013. At the time of appointing, they have induced them to advertise their business of Flat Promotion in all the Medias including the Print Media. Accordingly, the petitioner had incurred an expenditure of a sum of Rs.72,67,738/- for their advertisement towards the publication of media advertisement and broadcasting of Electronic Media advertisement.

3. The said Krishnaprasad and other Directors of the Company placed an order for broadcasting in Radio Mirchi FM, Hello FM, Radio City FM with regard to Vasavi Ingai Campaign for the period from 19th to 23rd September, 2013. With regard to above radio advertisement, the petitioner raised an Invoice dated 03.10.2013 bearing No.MO IPL/NTY/SEP/0006 for a sum of Rs.13,96,394/- . The said bill was due and payable as on 14.11.2013. Apart from the aforesaid Media advertisement, they had raised an invoice dated 03.10.2013 bearing No.MO IPL/NTY/SEP/0005 for a sum of Rs.58,71,344/- and the afore said bill is due and payable on 12.11.2013. Thus a total sum of Rs.72,67,738/- is due under both invoices. The petitioner by borrowing amount on personal loan had paid the amount. In spite of several demands made by the petitioner they were protracting the payment under one pretext or the other. Finally at one point of time they had agreed for an arrangement in and by which they had entered into an memorandum of understanding dated 23.05.2014 with the petitioner agreeing to convey Flat 1-B, First floor, Kaya Apartment, CIT Nagar, Chennai. But, instead of conveying the property in favour of the petitioner, the said Krishnaprasad and his directors have entered into another Supplemental memorandum of Understanding dated 27.08.2014 and as per the respective memorandum the said Krishnaprasad has also issued 5 cheques in favour of the petitioner, but, all the cheques were returned without being honoured. Thereafter, the said Krishnaprasad was all along informed that their dues will be settled by selling the Flat 1B, 1st Floor, Kaya Apartment CIT Nagar 2nd Main Road, Nandanam, Chennai, but they sold the said flat to one C.Ramasubramanian, Padmini Karthika vide document nos.546 and 547 of 2015. Therefore, the petitioner preferred a complaint before the respondent police as against Krishna Prasad and others. Since no action was taken, the petitioner has come forward with the present petition.

4. Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the respondent police by conducting a detailed enquiry, closed the complaint, as the same issue is pending before the arbitration proceedings and produced the copy of the closure report for perusal.

5. In view of the submission of the learned Additional Public Prosecutor, this Court cannot give any direction as sought for by the petitioner, hence, the petition is dismissed. However, the petitioner is at liberty to work out his remedy under Section 156(3) if HE IS so advised.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssd

To

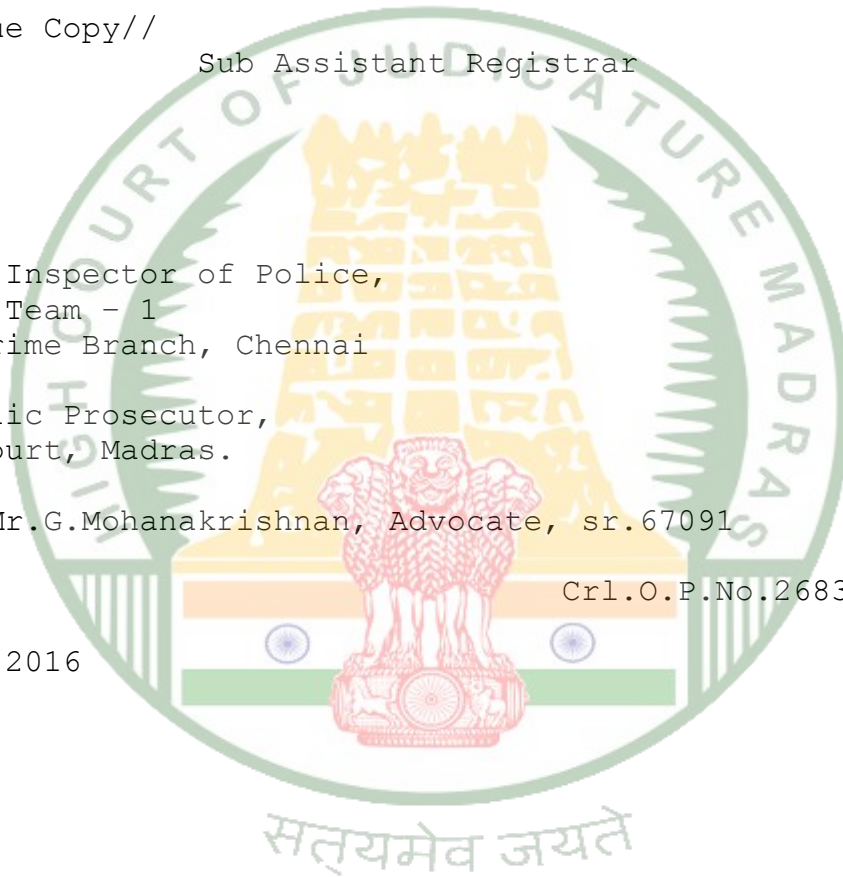
1.The Sub Inspector of Police,
EDF Wing, Team - 1
Central Crime Branch, Chennai

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.G.Mohanakrishnan, Advocate, sr.67091

Cr1.O.P.No.26832 of 2015

pa co
kra 07.01.2016



WEB COPY