

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.23257 and 23258 of 2008
and
MP.Nos.1 to 1 of 2008

1.Krishnakumar Srinivasan,
Chief Executive Officer,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

2.Venkatesan H,
Senior Vice President-Global Human Resources,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar,
Chennai-17.

3.Ashok Radhakrishnan,
President [India Operations]
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar,
Chennai-17.

...Petitioners
in Crl.OP.23257/08

1.Sridhar Kannan
Vice President-Facilities & Administration,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

2.Chandra Nagarajan,
Finance Department,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

3.M.S.Rathore,
Company Secretary, Vice President-Legal
And representative K.K.Birla Group,
ISG Nova Soft Technologies Ltd.,
No.114, Sri Thiagaraya Road,
T.Nagar, Chennai-17.

...Petitioners
in Crl.OP.23258/08

Vs

1.The State rep by
Inspector of Police,
Cyber Crime,
Central Crime Branch,
Chennai.

2.Monisha Aman

...Respondents
in both Crl.OPs

Common Prayer : Criminal Original Petition filed under Section 482
of Cr.P.C., praying to call for the records in FIR No.581 of 2008
on the file of the 1st respondent and quash the same.

For Petitioners : No appearance
in Crl.OP.23257/08

For Petitioners : Mr.SK.Chandrakumar
in Crl.OP.23258/08

For Respondents : Mr.C.Emalias, APP [for R1]
in both Crl.OPs

: No appearance [for R2]

C O M M O N O R D E R

These petitions have been filed to quash the FIR.No.581
of 2008 on the file of the 1st respondent.

2. Heard Mr.SK.Chandrakumar, learned counsel for the
petitioners; learned Additional Public Prosecutor for the 1st
respondent and perused the materials placed on record.

3. These petitioners are challenging the FIR in Crime
No.581 of 2008 that has been registered by the 1st respondent police
on the complaint lodged by the 2nd respondent.

4. It is the case of the 2nd respondent that she was an employee working in M/s.ISG Nova Soft Technologies Ltd., where the accused were holding managerial position. The 2nd respondent filed a private complaint before the learned V Metropolitan Magistrate, Egmore, Chennai, which was referred to the police under Section 156 [3] Cr.P.C and the aforesaid FIR has been registered.

5. On a complete reading of the complaint given by the 2nd respondent, it is obvious that the accused herein had taken disciplinary action against the 2nd respondent and as a counter blast, has lodged the present complaint making wild and reckless allegations against her colleagues and senior officers.

6. In the considered opinion of this Court, the learned Magistrate ought not to have sent this case to the police for registration of FIR under Section 156[3] Cr.P.C.

7. Learned Additional Public Prosecutor on instructions from the respondent police submitted that police have completed the investigation and closed the same as mistake of fact on 31.03.2012.

8. In the result, these petitions are allowed and the FIR is quashed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Cyber Crime,
Central Crime Branch,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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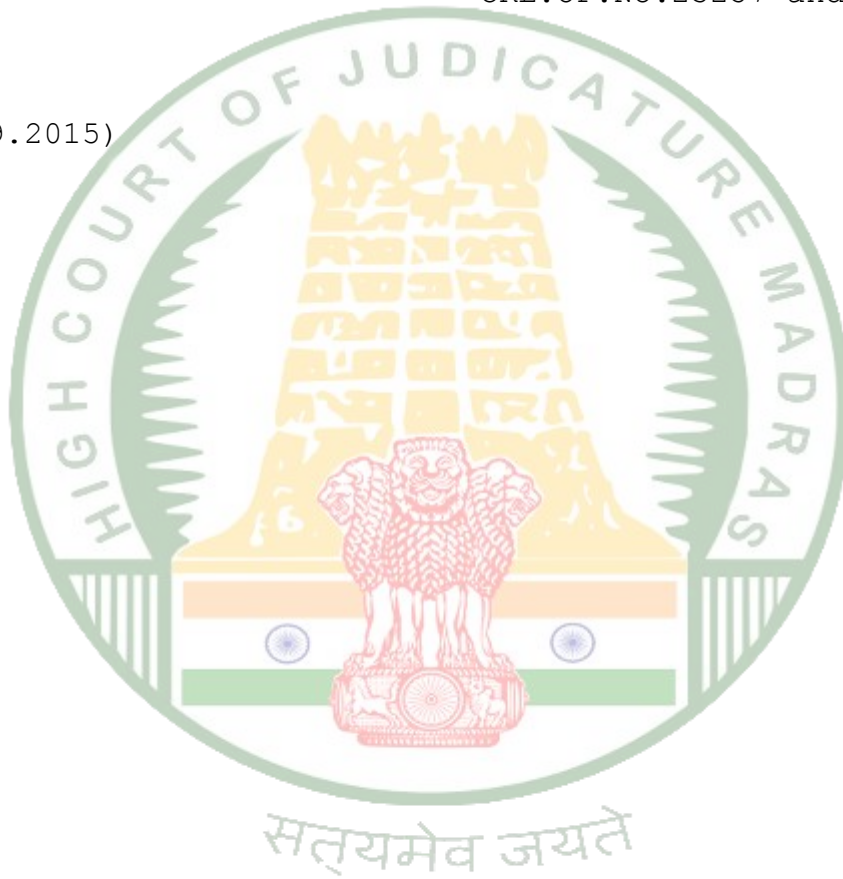
Copy to

The V Metropolitan Magistrate,
Egmore,
Chennai.

1 CC to Mr.SK.Chandrakumar, Advocate SR.No. 47922

CRL.OP.No.23257 and 23258 of 2008

KGK (CO)
PSI (21.09.2015)



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