

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2016

CORAM:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. No. 28537 of 2011

Sundeep Kumar

Petitioner

vs.

State represented by
the Inspector of Police
VPC CB CID, St. Thomas Mount
Chennai 600 016

Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, seeking to call for the records relating to the FIR in Cr. No.189 of 2011 on the file of the respondent police and quash the same.

For petitioner Mr. C. Samadharma Arasu

For respondent Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to the FIR in Cr. No.189 of 2011 on the file of the respondent police.

2 On the complaint lodged by one Subramani, the respondent police registered a case in Crime No.189 of 2011 on 30.09.2011 under Section 51 read with Section 63 of the Copyright Act, 1957 against the petitioner, challenging which, the petitioner is before this Court.

3 It is alleged by the de facto complainant that he is the Manager of Indian Music Industry and that he found the accused downloading some old songs of MGR into a memory card via his computer and hence, the FIR.

4 It is true that such acts are violative of copyright laws. Nevertheless, in this case, the incident is said to have taken place in 2011 and the allegations are too trivial for the police to proceed further with the investigation. Hence, applying the doctrine of triviality, this Court is of the view that no purpose will be served if the investigation is directed to be continued now in the year 2016 in respect of an alleged violation of this nature that is said to have occurred in the year 2011.

In view of the foregoing discussion, the FIR in Cr. No.189 of 2011 on the file of the respondent police is quashed and this Criminal Original Petition is allowed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

cad

To

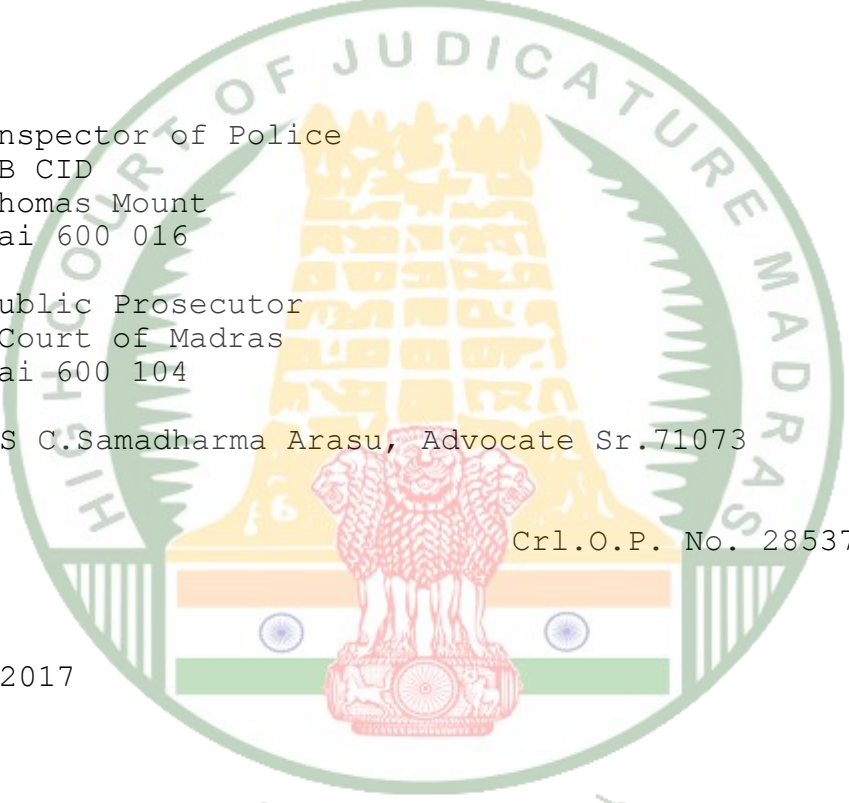
1 The Inspector of Police
VPC CB CID
St. Thomas Mount
Chennai 600 016

2 The Public Prosecutor
High Court of Madras
Chennai 600 104

+1cc to M/S C.Samadharm Arasu, Advocate Sr.71073

CrI.O.P. No. 28537 of 2011

MP (CO)
RVR 10/01/2017



सत्यमेव जयते

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