

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.12.2018
CORAM
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.No.28762 of 2018
and
Crl.M.P.No.16785 of 2018

P.Chandrasekar

...Petitioner

-Vs-

1.State of Tamil Nadu

Represented by the Inspector of Police,
Coimbatore Police Station,
(VP-CID) Coimbatore.
(Crime Number-70/18)

2.T.Murugan

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, 1973 to call for the records pertaining to the proceedings in C.C.No.332 of 2018 on the file of Judicial Magistrate No.I, Tiruppur and quash the same.

For Petitioner : Mr.K.S.Karthik Raja

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to challenge the proceedings in C.C.No.332 of 2018 on the file of Judicial Magistrate No.I, Tiruppur.

2. The learned counsel for the petitioner would submit that the final report has been filed against the petitioner for an offence under Section 51(a)(i) read with 65 of the Copy Rights Act 1957. The learned counsel would submit that even if the allegation made in the final report along with the statement given by the witnesses, are taken as it is, no offence has been made out under the Copy Rights Act.

3. This Court does not want to interfere the proceedings at this stage. The Court below is yet to frame the charges in this case. Therefore, the Court below can always apply its mind on the materials collected by the respondent police and frame appropriate charges. It is always open to the petitioner at that point of time to canvass the case with regard to whether the materials collected by the respondent police will attract the offence under the Copy Rights Act.

4. In view of the above, this Court does not want to intervene in the proceedings at this stage. Accordingly, this Criminal Original Petition is closed. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

LPP/vsa

To

1. The Judicial Magistrate No.I,
Tiruppur.
 - 2.do Thro The Chief Judicial Magistrate,
Tiruppur.
 - 3.The Inspector of Police,
Coimbatore Police Station,
(VP-CID) Coimbatore.
 - 4.The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.K.S.Karthik Raja, Advocate sr.no.85340

Cr1.O.P.No.28762 of 2018
and
Cr1.M.P.No.16785 of 2018

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nr 03/01/2019

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