

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.02.2019

CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2691 of 2019

P.Yogesh

...Petitioner

Vs.

1.The Commissioner of Police
Greater chennai
Chennai

2.Inspector of Police,
B-2, Esplanade Police Station,
Chennai

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the first respondent to transfer the investigation in Cr.No.491 of 2018 pending on the file of the second respondent to CCB or any other dedicated team established to investigate offences under the Copyrights Act and consequentially complete the investigation.

For Petitioner : Mr.R.Ganesh Kumar

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to transfer the investigation in Cr.No.491 of 2018 pending on the file of the 2nd respondent to Central Crime Branch 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 the petitioner is the Manager of the Concern M/s.Royal Food products deals with Basmati rice, supplied by M/s.KRBL India Limited under the brand of 'Unity Basmati Rice'. The company M/s.KRBL India Limited is a copyright 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.491 of 2018 from the file of B-2, Esplanade Police Station, Chennai 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, B-2, Esplanade, Police Station, Chennai, is directed to handover the case diary and all other materials relating to Crime No.491 of 2018 within one week, from the date of receipt of a copy of this order to the Deputy Commissioner of Police, CCB.

6. In the result, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsn/kal

To

- 1.The Commissioner of Police
Greater Chennai, Chennai
- 2.Inspector of Police,
B-2, Esplanade Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras - 104..

Copy To

The Deputy Commissioner of Police CCB,
Chennai.

+1cc to Mr.R.Ganesh Kumar, Advocate, S.R.No.8923

Cr1.O.P.No.2691 of 2019

MG(CO)
RRS 25/02/2019