



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P. (MD)No.5882 of 2019

WEB COPY

Sri Akilandeswari Digital Network Pvt. Ltd.,
Represented by tis
The Managing Director,
B.Vishnuvarthan

... Petitioner

/Vs./

1. The Commissioner of Police,
Trichy City Corporation,
Trichy.
2. The Inspector of Police,
Law and Order,
Thillai Nagar Police Station,
Thillai Nagar, Trichy.

3. Shanmugam

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the 2nd respondent not to interfere in cable dispute between the petitioner company and the third respondent and take action on the 3rd respondent for threatening the petitioner company employees.

For Petitioner : Mr.B.Prasanna Vinoth
For R-1 & R-2 : Mr.V.Neelkandan
Additional Public Prosecutor

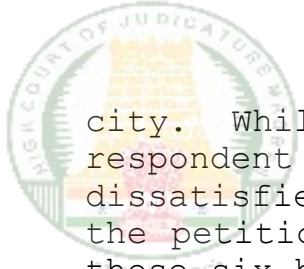
ORDER

This petition is filed to direct the 2nd respondent not to interfere in cable dispute between the petitioner company and the third respondent and take action on the 3rd respondent for threatening the petitioner company employees.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. It is a commercial dispute or rather competition between the petitioner and the third respondent which has given rise to the present petition.

4. According to the petitioner, the third respondent has been providing cable service connection in certain locality in Trichy



city. While so, six of the hotels in the locality to whom the third respondent has been earlier providing cable TV connection were dissatisfied with the service provided by him, and have shifted to the petitioner. The petitioner is now providing cable connection to those six hotels. According to the petitioner, the third respondent is irated by this move of the six of his customers, and tried to interfere with the business of the petitioner claiming that the locality is his franchised area. The third respondent, with a view to disturb the business of the petitioner has ransacked the petitioner's office and damaged articles. Therefore, the petitioner has preferred a complaint to the second respondent police. But the second respondent, instead registering a case, has begun harassing the petitioner as if he is holding a vakalat for the third respondent. This attitude of the second respondent is unlawful.

5. The learned Additional Public Prosecutor submitted that the complaint preferred by the petitioner is pending and no case is pending against the petitioner and there is no harassment.

6. The statement of the learned Additional Public Prosecutor is recorded. Inasmuch as no complaint is pending against the petitioner, nothing survives for the present to adjudicate in this Criminal Original Petition. If however the petitioner is aggrieved by any inaction on his complaint by the second respondent police, he shall work out his remedy as per the dictum in the case of **G.Prabakaran vs. The Superintendent of Police, Thanjavur District and another [2018-2-L.W. (Crl.) 489]**.

sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Trichy City Corporation,
Trichy.

2. The Inspector of Police,
Law and Order,
Thillai Nagar Police Station,
Thillai Nagar, Trichy.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.B.PRASANNA VINOTH, Advocate (SR-62634[F] dated
25/04/2019)

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