



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM:

THE HON'BLE MR.JUSTICE V. BHARATHIDASAN

CRL.O.P.NOS.24618 OF 2014, 21333 & 21340 OF 2015

AND

M.P.NO.1 OF 2014, 1 & 1 OF 2015

1. M/s. Polimer Media Pvt Ltd.,
rep. by its Managing Director,
Mr. P.V.Kalyanasundaram,
No.30, Balaji Nagar, near Elhrich Lab,
1st street, Royapettah,
Chennai 600 014.
2. Mr. P.V.Kalyanasundaram,
Managing Director,
Polimer Media Pvt Ltd.,
No.30, Balaji Nagar, Near Elhrich Lab,
1st Street, Royapettah,
Chennai 600 014.

... Petitioners/
Accused 1 & 2 in all O.Ps.

Versus

M/s. Sun TV Network Ltd.,
rep. by its Authorised Signatory,
Mr. M.Jyothi Basu,
Murasoli Maran Towers,
73 MRC Nagar Main Road,
MRC Nagar, Chennai -28

... Respondent/
Complainant in all O.Ps.

COMMON PRAYER :

Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.4055 of 2014, 5504 of 2014, & 5507 of 2014 on the file of the XXIII Metropolitan Magistrate, Saidapet, Chennai and quash the same.



WEB COPY

For Petitioners : Mr. Ananthanarayanan,
in all O.Ps. for Mr.S. Janarthanam
For Respondent : Mr. R. Palaniandavan
in all O.Ps.

ORDER

(This case has been heard through video conference)

This Criminal Original Petition has been filed to quash the private complaint filed by the respondent/complainant for the offences under Sections 51, 63, 66 & 69 of the Copy Right Act, 1957.

2. Alleging that the complainant/ Sun TV Network Ltd, is copy right holder of various movies, which has been telecasted by the accused TV net work, thereby committed the above offences, and filed the private complaint and the learned Judicial Magistrate has taken cognizance and issued process. To quash the complaint, the present petition has been filed by the accused.

3. When the matter came up for hearing, the learned counsel appearing for the petitioners and the respondent submitted that now, the matter has been settled between the parties. Based on the settlement, the complainant is not interested in proceeding with the criminal case and they have also entered into a Memorandum of Understanding and based on that, the complaint may be quashed.

4. Today, the Joint Memo, dated 01.02.2022, along with the Memorandum of Understanding, dated 31.01.2022, entered into between the petitioners/accused and the respondent/complainant, which is signed by both the parties and their counsel, is filed. The Chairman & Managing Director of the petitioners/accused and the authorised signatory of the respondent/complainant are present and both of them were identified by the respective counsels.

5. The learned counsel for the respondent/complainant submitted that in view of the compromise entered into between the parties, he is not interested in proceeding with the complaint.

6. Considering those circumstances, the alleged offences are predominantly civil in nature for violation of Copy Right Act. Now, the parties settled the dispute between themselves and no useful purpose will be served by continuing the criminal proceedings.



7. Accordingly, all the Criminal Original Petitions stand allowed and as a sequel, the case in C.C.No.4055 of 2014, 5504 of 2014, & 5507 of 2014 on the file of the XXIII Metropolitan Magistrate, Saidapet, Chennai, are quashed as against the petitioners. Consequently, connected miscellaneous petitions are closed. The terms of the Joint Memo along with the Memorandum of Understanding are recorded and it shall form part of the order.

*Xerox copy of Joint memo filed by Petitioners and Respondent are enclosed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The XXIII Metropolitan Magistrate,
Saidapet, Chennai,
2. Do-thro The Chief Metropolitan Magistrate,
Egmore, Chennai-8.

CRL.O.P.No.24618 of 2014

BP(CO)
PM/23/03/2022