



CRL OP(MD). No.8888 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :01.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8888 of 2024

and

CRL.M.P.(MD)No.6101 of 2024

M/s.Rahul Traders

rep. By its Proprietor Santhosh Devi.

... Petitioner

Vs

1. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

2. J.Madasamy

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with FIR in Crime No.260 of 2024, on the file of the Sivakasi East Police Station, Virudhunagar District and quash the same.



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For Petitioner	: Mr. Anandha Padmanabhan Senior Counsel for Mr. Cibi Chakraborty T
For R-1	: Mr. M. Sakthi Kumar Government Advocate (Crl. Side)
For R-2	: Mr. Ajmal Khan Senior Counsel

ORDER

This Criminal Original Petition is filed to quash the First Information Report in Crime No.260 of 2024 pending on the file of the first respondent police, insofar as the petitioner is concerned.

2. The learned Senior Counsel appearing for the petitioner submits that the petitioner/widow and her husband were running a match factory in the trade mark 21. After the death of her husband, on 02.11.2022, she transferred the trade mark to one Sanjeev Gupta, son of Rajesh Gupta, proprietor of Radha Traders, Kovilppatti, Thoothukudi District, and he has also produced the form and deed of assignments.



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3. The learned Senior Counsel appearing for the second respondent/defacto complainant submits that even now the trade mark stands in the name of one Santhosh Devi and the petitioner is doing the mischief with the help of other accused in the name of Rahul Traders. Further, he submits that the document produced by the petitioner cannot be appreciated at this stage when the investigation is pending.

4. The learned Government Advocate (Crl. Side) submits that the case was registered only on 21.05.2024 and the investigation is in the initial stage.

5. The petitioner claims that though in the trade mark it is mentioned that the said Santhosh Devi is the proprietor of the firm, she has already sold the unit to one Sajeelv Gupta in the year 2022. The form filed by the parties under Trade Marks Act along with the receipt is placed before this Court. The petitioner has also produced the deed of assignment.

6. The respondent police shall conduct the investigation in a fair



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and proper manner by considering the materials which have been place before this Court. In the event if the materials are found as against the petitioner, the respondent police shall not harass her.

7. Accordingly, this Criminal Original Petition is closed.
Consequently, connected miscellaneous petition is closed.

01.07.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes
jbr

To

1. The Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.

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

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B.PUGALENDHI,J

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Order made in
CrI.O.P.(MD)No.8888 of 2024

01.07.2024