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CrI.O.P.No.29634 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

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Sirish Purohit (CEO)

M/s.MIDAS Communication Technologies Pvt. Ltd.

No.1, Kalyani Nagar

Kottivakkam, Thiruvanmiyur,

Chennai – 600 041

... Petitioner

Vs.

1.State rep. by

The Inspector of Police

Central Crime Branch

EDF 2, Beta 5, Vepery

Chennai – 600 007

2. M.S.Viswanathan

Liquidator of Gemini Communication Limited

15/35, Musafar Jung Bahadur Street

Triplicane, Chennai – 600 005

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to direct the 1st respondent police to either handover the goods lying in the godown at Door No.10/15, No.698, Vazhudavur Road, Iyyankuttipalayam, Oulgaret Community, Puducherry-605 009 to M/s.Gemini Communication



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or in alternative transfer the goods to a Police godown and dispose of the same in accordance with law.

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For Petitioner : Mr.V.Prakash, Senior Advocate
Assisted by Mr.K.Sasi Kumar
For Respondents : Mr.K.M.D.Muhilan
Additional Public Prosecutor for R1
Mr.M.S.Viswanathan for R2

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent police to either hand over the goods lying in the godown at Door No.10/15, No.698, Vazhudavur Road, Iyyankuttipalayam, Oulgaret Community, Puducherry-605 009 to M/s.Gemini Communication or in the alternative to transfer the goods to a Police godown and dispose of the same in accordance with law.

2. The learned Additional Public Prosecutor appearing for the 1st respondent police would submit that based on the complaint given by one K.Radhakrishnan, G.M. (Legal and Administration) of Gemini Communication Ltd., a case in Crime No.69 of 2012 was registered against



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the petitioner and 9 others for the offences under Sections 406, 420 read

with Section 34 of IPC on 02.02.2012. He would further submit that the

investigation in this case, has already been completed and the final report

has also been filed referring the case as 'Further Action Dropped'. On

instructions, he would further submit that during the course of investigation,

the 1st respondent police did not take any action in respect of the alleged

goods belonging to the Gemini Communication, which are said to have

been lying in the said godown. In such circumstances, this petition is not

maintainable and the same is liable to be dismissed.

3. Mr.M.S. Viswanathan, Liquidator of Gemini Communication

Limited/second respondent would submit that the liquidation proceedings is

pending before the NCLT.

4. At this juncture, the learned Additional Public Prosecutor would

submit that when the liquidation proceedings is pending before the NCLT,

the petitioner has to file an appropriate petition before the NCLT.

5. Recording the submissions of the learned Additional Public

Prosecutor, this Criminal Original Petition is closed.



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Neutral Citation: Yes/No

To

1.The Inspector of Police
Central Crime Branch
EDF 2, Beta 5, Vepery
Chennai – 600 007

2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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