

CRL RC(MD)No.1042 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.1042 of 2025

Venkatadesigan

... Petitioner/ Petitioner /Accused
Vs.

State through the Inspector
of Police,
District Crime Branch,
Virudhunagar District.
(Crime No.629 of 2024)

... Respondent / Respondent /
Complainant

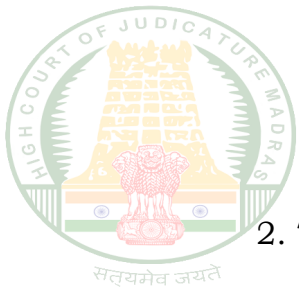
PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the entire records and to set aside the order passed by the learned Judicial Magistrate Court No.II, Virudhunagar, in Cr.M.P.No. 1275 of 2021 in C.C.No.342 of 2020 dated 13.06.2025.

For Petitioner : Mr.R.Rajamohan

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

Challenging the order passed by the learned Judicial Magistrate Court No.II, Virudhunagar, in Cr.M.P.No.1275 of 2021 in C.C.No.342 of 2020 dated 13.06.2025, this Criminal Revision case has been filed.

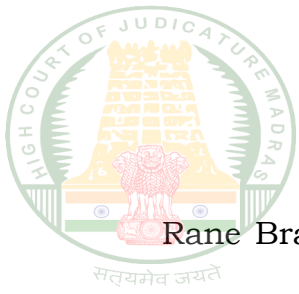


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2. The petitioner herein is the accused in C.C.No.342 of 2020. He filed an application to discharge him from the offenses against which he is charged under Section 239 of the Code of Criminal Procedure, 1973. However, the learned Trial Court dismissed the same. Challenging the same, this Criminal Revision case is filed.

3. The learned counsel for the petitioner submitted that the petitioner worked in various capacities in the TVS braking system at Kariyapatti since 1985 to 2011 and during 2011, he availed the Voluntary Retirement from Service, and he retired as Senior Engineer from the said company. Following which, he had commenced his own Hi-per Consultancy Service Limited and also an Academy, namely, Eye Opener Academy.

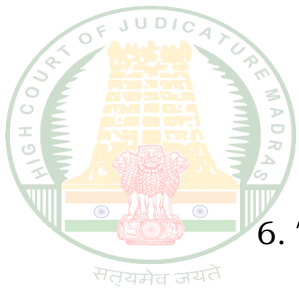
4. The allegation against the petitioner is that he had sold off the formula of TVS braking system, Kariyapatti, to one Rane Braking Linings Company limited. However, the learned counsel for the petitioner categorically contended that there is no material evidence placed by the prosecution or by the *de-facto* complainant before the learned Judicial Magistrate to substantiate the fact that the formula which he had sold off to the Rane Braking Linings Company limited, was the formula of TVS Braking System, Kariyapatti, and it was his own formula which he had sold off to



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Rane Braking Linings Company limited and only on the basis of certain e-mail communication, the learned Trial Court had come to a conclusion that a *prima facie* case is made out and hence, he pressed for allowing the Criminal Revision case by setting aside the impugned order.

5. Per contra, the learned Additional Public Prosecutor Mr.S.Ravi categorically contended that the petitioner had voluntarily approached Rane Braking Linings Company limited, submitting that he has certain formulas in making a braking system which could be utilized by the Rane Braking Linings Company limited and only after multiple mails to the said company, he had got the access to the Managing Director of the said company and thereafter, he had met the Managing Director of Rane Braking Linings Company limited to whom he had sold the formulas in his system and when the Managing Director of the aforesaid company claimed as to how he has the possession of the same, he himself had voluntarily submitted that he was earlier working with TVS braking system at Kariyapatti and with his experience, he is affluent to the formula which was utilized by the said company as a Senior Engineer and hence, he is able to reproduce the same for the purpose of Rane Braking Linings Company limited and offered the same for sale to a tune of Rs.3,00,000/- for which, he had obtained a cheque for an amount of Rs.2,70,000/- and Rs.30,000/- was deducted as TDS.

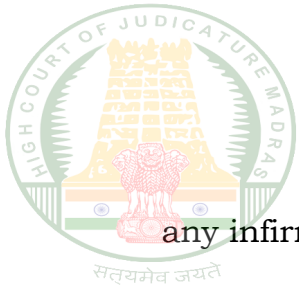


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6. The cheque was also submitted by the petitioner for collection in his own account and the amount has been credited in his account, as a result of which, the case has become clear that he himself had sold off the formula and the umpteen number of e-mail communication between the petitioner and Rane Braking Linings Company employees and the Managing Director itself would suffice to prove that the formula has been stolen by him from the earlier company where he worked and hence, he pressed for dismissal of the Criminal Revision case.

7. Heard the learned counsels on either side and carefully perused the materials available on record.

8. Though the learned counsel for the petitioner claimed that the formula is his own formula and has nothing to do with the formula of TVS Braking Lining System, Kariyapatti, in which, he had earlier worked, the learned Trial Court, after considering 161(3) of Cr.P.C., statement given by the Managing Director of Rane Braking Linings Company limited itself had come to a conclusion that there is a *prima facie* case as against the petitioner and the aspect as to whether the formula really belong to the earlier company or the same is the petitioner's own formula could be substantiated only after the completion of the trial and hence, I don't find



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any infirmity in the same.

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9. Accordingly, the Criminal Revision case fails and the same is dismissed. No costs.

12.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

- 1.The Judicial Magistrate Court No.II,
Virudhunagar.
- 2.The Inspector
of Police,
District Crime Branch,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.,

Sml

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