



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 737 of 2025

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India Pistons Limited,
Rep by S.Baburaj Authorized Signatory
Personal Assistant to the Whole Time Director,
Huzur Gardens, Sembiam,
Chennai-600 011.

..Petitioner(s)

Vs

1. The State Rep by, The Inspector of Police,
CCB, Avadi Police Station,
Avadi, Chennai-600 054.
2. The Superintendent of Police,
Cyber Crime Cell, CBCID Chennai,
No.220, Pantheon Road,
Old Commissioner Office Complex,
Chennai-600 008.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing a re-investigation into Crime No.68 of 2021 on the file of the 1st respondent (Inspector of Police, CCB, Avadi Police Station), by the 2nd respondent (Superintendent of Police, Cyber Crime Cell, CB, CID, Chennai), or such other independent and competent investigation agency.

For Petitioner(s):

Mr.J.Sivanandaraaj
Senior Counsel
Assisted by Mr.Roshan Balasubramanian

For Respondent(s):

Mr.R.Ganesh Kumar
Government Advocate (CrI. Side)

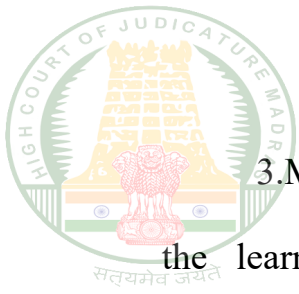


ORDER

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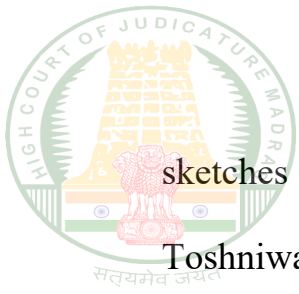
The Writ Petition has been filed for a direction, directing re-investigation of the complaint registered in Crime No.68 of 2021, pending on the file of the 1st respondent viz. Inspector of Police, CCB, Avadi Police Station, by the 2nd respondent.

2.The petitioner lodged a complaint and the same has been registered in Crime No.68 of 2021, on the file of the 1st respondent, for the offences under Section 66 r/w Section 43(b) and 66B of the Information Technology Act, 2000 r/w Sections 34, 107 & 120 B of I.P.C. and Sections 381, 408, 411, 413 & 414, 417 & 420 r/w Sections 34, 107 & 120 B of IPC, 1860, alleging that there had been a breach of trust by a servant owing to certain ex-employees of the petitioner by taking confidential information that were entrusted with to them and using them for illegal purposes and also for the benefit of a company, that they had formed in collusion with each other in furtherance of a criminal conspiracy. However, the said complaint was enquired and closed as a mistake of fact. Aggrieved by the same, the petitioner filed a protest petition and in the said petition, the trial Court ordered for further investigation. Hence, the 1st respondent, once again, conducted further investigation and filed a closure report before the learned Judicial Magistrate No.1, Poonamallee.



3. Mr. J. Sivanandaraaj, the learned Senior counsel submitted that though the learned Judicial Magistrate specifically directed to conduct further investigation, the 1st respondent failed to investigate the same in respect of conspiracy between the employees and transferring important data to the competitor. Further, the transfer of industrial drawings through pen drives by the accused persons also not examined properly. The fraudulent execution of agreement dated 05.03.2020, which was obtained in the month of August 2020, but the said agreement was signed by the accused as early as in month of March, 2020 itself. Therefore, the agreement is valid and binding. The 2nd accused has offered a job to A3 to A6, in return A3 has sent an email to A2 diverting the business of the petitioner from Bharathi Enterprises to A6. Further, the 4th accused, an employee of the complainant, shared confidential information of the complainant to A9. These material aspects have not been investigated properly by the 1st respondent.

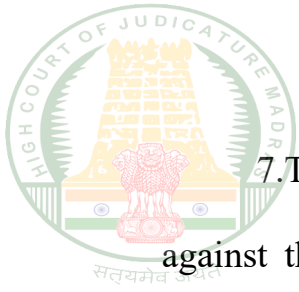
4. Per contra, the learned Government Advocate (Criminal Side) filed a status report and submitted that after ordering further investigation, the 1st respondent once again conducted detailed investigation and found that there is no prima facie case made out in the F.I.R. to proceed further. He further submits that the petitioner's company had imported products from Toshniwal Auto Parts Pvt. Ltd., China and sold out in India. The petitioner is not involved in manufacturing of any spare parts. Therefore, there is no question of stealing the



sketches and other details and sending them through e-mail in favour of Toshniwal Auto Parts Pvt. Ltd., and causing loss to the petitioner. Further, the entire products were produced at China in Toshniwal Auto Parts Pvt. Ltd., and imported by the petitioner through Master Supply Agreement.

5. That apart, if any dispute between them, the issues can be resolved through Arbitration proceedings. Insofar as the allegations of leakage of details such as Price list, Travel Policy, they are not confidential information are concerned, it is very much available in the market and India Piston Limited Website. Therefore, there is no evidence to show that the accused have stolen the information from the petitioner and sold it to a rival party. In respect of violation of Non-Disclosure Agreement is concerned, the parties ought to have approached the Civil Court for appropriate relief.

6. Though the petitioner's complaint was enquired so many times, the 1st respondent conducted detail enquiry on two occasions and once again they have closed the F.I.R. as no offence is made out as against the accused. Therefore, no useful purpose would be served, if the investigation to be done by the same officer or by some other officer. That apart, whatever materials seized from the accused has been deposited before the learned Judicial Magistrate No.1, Poonamallee under Form-95 and the same is very much available with the trial Court.



7. Therefore, the petitioner is granted liberty to file a protest petition as against the closure report before the Judicial Magistrate No.1, Poonamallee, within a period of two (2) weeks from the date of receipt of a copy of this order.

On receipt of the same, the learned Judicial Magistrate No.I, Poonamallee is hereby directed to conduct enquiry. If any cognizance offence is made out during the enquiry, the trial Court is directed to take cognizance as against the accused. Till then, whatever material is seized from the accused and deposited before the Judicial Magistrate No.1, Poonamallee, shall not be returned to the accused till the completion of enquiry.

8. With the above direction, this Writ Petition stands disposed of. No costs.

16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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G.K.ILANTHIRAIYAN, J.

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- To
1. The State Rep by, The Inspector of Police,
CCB, Avadi Police Station, Avadi,
Chennai-600 054.
 2. The Superintendent of Police,
Cyber Crime Cell, CBCID Chennai,
No.220, Pantheon Road,
Old Commissioner Office Complex,
Chennai-600 008.
 3. The Public Prosecutor
High Court of Madras
Chennai 600 104

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