

**IN THE COURT OF THE DISTRICT MUNSIF CUM JUDICIAL
MAGISTRATE, SHOLINGANALLUR**

Present:-Thiru. M.N. Rajanandhivarmasiva, B.E., M.L.,
District Munsif cum Judicial Magistrate,
Sholinganallur.

Saturday, the 22nd day of August, 2026

Crl.M.P.No.549/2026

G. Chaitanya,
S/o. Bhaskar Rao, No.19/8,
Viswanathapuram 2nd Street,
Kodambakkam, Chennai – 600 024.

... Petitioner/Complainant

-Vs-

The Inspector of Police
J-10 Semmancherry Police Station,
Sholinganallur, Chennai – 600 119.

... Respondent

1. Chandrasekar Srinivasan
2. Saravanan Krishnamoorthy
3. Jeyalakshmi Chandrasekar

... Respondents/Accused

This petition is filed by the petitioner u/s 175(3) of BNSS, and M/s. B.S. Jagadeshwaran, Learned Counsel appeared for the Petitioner. After considering the materials on record the application was taken u/s 175(3) of BNSS, and after considering the materials on record and after hearing the petitioner who appeared before this court passed the following.

ORDER

1. This petition has been filed by the petitioner under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking a direction to the respondent police to register an FIR and investigate the allegations made against the proposed accused.

2. The case of the petitioner, in brief, is that he is a former employee of the proposed accused company and one among several employees allegedly affected by the fraudulent and illegal activities carried out by the proposed accused through various companies, including Cognitive Platform Solutions Private Limited, Captive Techno Solutions Private Limited, IProof Technologies and other associated entities functioning from TEK Meadows, Sholinganallur, Chennai.

3. It is stated that the petitioner is approaching this Court not only in his individual capacity but also with regard to the grievances of several similarly placed former employees who allegedly suffered non-payment of salary, non-remittance of statutory dues, intimidation, abuse and other illegal acts. According to the petitioner, he and several other employees were initially employed under Cognitive Platform Solutions Private Limited and were subsequently shifted to Captive Techno Solutions Private Limited without settlement of their previous salary dues, statutory benefits or other lawful entitlements. It is alleged that, notwithstanding the change in the corporate entities, the place of employment, supervision, management and business operations substantially remained the same.

4. The petitioner further alleges that the employees rendered continuous services but were not paid their lawful salary dues for several months. It is also alleged that amounts deducted towards provident fund contributions were not properly remitted. Whenever the employees demanded their lawful dues, they were allegedly subjected to abusive and intimidating conduct.

5. According to the petitioner, he issued a legal notice dated 19.01.2026 seeking payment of his outstanding salary dues. In response, the authorised representatives of Captive Techno Solutions Private Limited requested him to visit their office for discussion and clarification. Accordingly, on 27.01.2026 at about 11.00 a.m., the petitioner visited the office. It is alleged that, at that time, the proposed accused Chandrasekar, Saranan Krishnamurthy and others abused, assaulted and criminally intimidated him. It is further alleged that the proposed accused threatened to kill him if he proceeded legally in respect of the labour dispute and also threatened to foist a false criminal case against him and cause him to lose his existing employment.

6. The petitioner states that, apprehending danger to his life and safety, he immediately lodged a written complaint before the Semmanchery Police Station. A CSR was allegedly issued on 28.01.2026. However, according to the petitioner, despite disclosure of cognizable offences, no FIR was registered.

7. It is further stated that the petitioner and other affected employees submitted a detailed representation before the Commissioner of Police, setting out the alleged fraudulent activities carried out through the various entities. The said representation was forwarded to the Assistant Commissioner of Police, Semmenchery, and thereafter to the respondent police for enquiry and appropriate action. According to the petitioner, no effective action was taken despite the production of appointment letters, employment records, salary particulars and other documents by several affected employees.

8. The petitioner contends that the materials prima facie disclose a common pattern of conduct on the part of the proposed accused, namely, withholding of salary dues, shifting employees from one entity to another without settlement of liabilities, failure to remit statutory dues, intimidation of employees who demanded their lawful entitlements and use of interconnected companies to avoid their legal obligations.

9. On the basis of the above allegations, the petitioner contends that the acts of the proposed accused disclose cognizable offences, including criminal breach of trust, cheating, criminal conspiracy, assault, intentional insult and criminal intimidation, allegedly committed in furtherance of their common intention. Hence, the petitioner seeks a direction to the respondent police to register an FIR and conduct a proper investigation.

10. The materials placed before this Court have been perused. The allegations are not confined to a mere dispute regarding payment of salary between an individual employee and an employer. The petitioner has specifically alleged that several employees were employed through different interconnected entities, that their employment was subsequently shifted from one entity to another without settlement of their existing dues and that salary and statutory contributions were allegedly withheld.

11. The petitioner has also produced materials relating to the alleged incident dated 27.01.2026, pursuant to which a complaint was given to the police and a CSR was issued on 28.01.2026. The allegation that the petitioner was assaulted and criminally intimidated when he sought payment of his lawful dues is a specific allegation which requires proper verification by the investigating agency.

12. Further, the allegations regarding the involvement of several corporate entities, the shifting of employees between such entities, non-payment of salary and statutory dues, and the alleged common pattern of conduct affecting several employees cannot, at this stage, be conclusively characterized as a purely civil or labour dispute. Whether the proposed accused have committed the offences alleged by the petitioner is a matter which requires collection and examination of relevant documentary and oral evidence.

13. The petitioner has also stated that several employees are in possession of appointment letters, employment records, salary particulars, provident fund records and other documents relating to their employment. Such materials, if collected and verified, may assist the investigating agency in determining whether there was a systematic course of conduct and whether any criminal offence was committed.

14. At the stage of considering a petition under Section 175(3) of the BNSS, this Court is not required to conduct a detailed appreciation of evidence or record a finding regarding the guilt or otherwise of the proposed accused. The limited question is whether the allegations and materials placed before the Court disclose circumstances warranting investigation by the police.

15. In the present case, the allegations regarding assault and criminal intimidation on 27.01.2026, coupled with the allegations concerning withholding of salary dues, non-remittance of statutory contributions and the alleged use of multiple entities in the course of the transactions, prima facie require investigation. The petitioner has also approached the police authorities and higher police authorities before approaching this Court.

16. Therefore, this Court is of the considered view that the matter cannot be disposed of merely as a dispute relating to non-payment of salary. The allegations, if found to be true, may disclose cognizable offences and require investigation by the competent police authority.

17. Accordingly, the respondent police are directed to conduct a proper enquiry into the complaint of the petitioner and, if the allegations disclose cognizable offences, register an FIR in accordance with law and investigate the matter in a fair and impartial manner. The investigation shall include verification of the employment records, salary dues, statutory contribution records, relevant company records and the allegations regarding the incident dated 27.01.2026.

18. It is made clear that this Court has not expressed any opinion regarding the guilt of the proposed accused. The investigating agency shall independently assess the materials and proceed strictly in accordance with law.

In the result, the petition is allowed with the above directions.

Dictated to the Steno-Typist, directly typed by her, corrected and pronounced by me in open court on 22nd day of August 2026.

**Sd/- M.N. Rajanandhivarmasiva,
District Munsif cum
Judicial Magistrate,
Sholinganallur.**