

ITEM NO.21

COURT NO.14

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 20123/2025

[Arising out of impugned final judgment and order dated 28-08-2025 in CRLRC No. 1577/2025 passed by the High Court of Judicature at Madras]

G.R. HARSHAVARDHAN & ANR.

Petitioner(s)

VERSUS

THE STATE REPRESENTED BY THE INSPECTOR OF POLICE Respondent(s)

IA No. 321550/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 321552/2025 - EXEMPTION FROM FILING O.T.

Date : 16-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA  
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr. R Basant, Sr. Adv.  
Mr. Mohan Raj A, Adv.  
Ms. Shaily Jain, Adv.  
Mr. Raunak Arora, Adv.  
Ms. Shagun Mittal, Adv.  
Ms. Charulata Chaudhary, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. The submission of the learned counsel for the petitioners is that as per the allegation, surplus land, which was to be

retained by the Company for a specific purpose under Section 37A of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, was unlawfully sold thereby causing unlawful loss to the purchaser and unlawful gain to oneself.

2. It is submitted that petitioners, though Directors of the Company, are not involved in the execution of the sale deed and there is no worthwhile evidence, collected during investigation, to demonstrate that petitioners were involved in criminal conspiracy.

3. In such circumstances, it is submitted, absent a provision fixing vicarious liability on the Directors and there being no material to *prima facie* establish criminal conspiracy, petitioners cannot be made liable for commission of offence punishable under the Indian Penal Code, 1860 by the Company. It is thus submitted that the trial court as well as the High Court erred in rejecting the discharge application.

4. Issue notice, returnable in six weeks.
5. In the meantime, further proceeding emanating from FIR No. 13/2016 registered at P.S. DCB, District Tiruppur shall remain stayed.

**(CHETAN ARORA)**  
**ASTT. REGISTRAR-cum-PS**

**(SAPNA BANSAL)**  
**COURT MASTER (NSH)**