



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighth day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12138 of 2015

WEB COPY

1 SIVAGURUNATHAN

2 K.BASKARAN

... PETITIONERS/ ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
UTHAMAPALAYAM TALUK,
THENI DT.

CRIME NO. 184 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.HAFIZA Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 353 and 506(i) of I.P.C., in Crime No.184 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the Special Tahsildar, Government Arasu Cable, Theni District that the accused were running unauthorised local T.V. Channel by name 'Friends TV' and 'RNS' and they are broadcasting programmes inciting communal violence in the area and during night hours, screening obscene films and on 28.06.2015, when the de-facto complainant and his officials went to the control room of the said local channel, they found the accused were running the local channels by using DTH (Direct to Home) without any valid permission or taking part in the tender process. At that time, the accused prevented the de-facto complainant from discharging his official duty and also threatened with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and on 26.06.2015, the de-facto complainant along with the other persons, without proper notice, entered into the business premises and seized two optic receiver_ which was recorded in the C.C.T.V. and also demanded bribe from the accused. Therefore, the first petitioner made a complaint to the respondent police on the very same day on 26.06.2015 and also sent complaints to the higher officials and as a counter blast, after 2 days, this complaint was given on 28.06.2015.



4. The learned counsel for the petitioners further submitted that the Arasu Cable T.V. are not providing proper service in Uthamapalayam Taluk, whereas the petitioners were doing the same business for more than 20 years and one Senthilkumar was appointed as Taluk Cable Operator which was challenged by the petitioners in W.P.(MD).No.5267 of 2015 and his appointment was stayed by this Court in M.P.(MD).No.3 of 2015 in the Writ Petition. The learned counsel for the petitioners further submitted that the de-facto complainant is demanding huge amount from the Cable T.V. Operators and since the amount was not paid, the false complaint was given against the petitioners.

5. The learned Government Advocate (Crl.side) filed a counter affidavit for the respondent and also objected grant of anticipatory bail contending that the petitioners were running an unauthorised local T.V. Channel and they are screening obscene pictures during night hours and also broadcasting programme inciting communal violence in the area.

6. Considering the nature of allegations made against these petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the Criminal Original Petition is dismissed.

sd/-

08/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SUB INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION,
UTHAMAPALAYAM TALUK, THENI DT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.A.HAFIZA Advocate SR.No.37211

ORDER
IN
CRL OP(MD) No.12138 of 2015
Date :08/07/2015

PA/IV/15.07.2015/2P/4C