



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.87 of 2015

M.MOHAMMED RAFFIQ

... PETITIONER/ACCUSED 1

Vs

THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO.11/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Section 53(A) and 68(A) of the Copy Rights Act r/w Section 292 IPC in Crime No.11 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

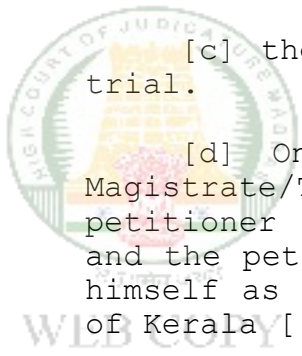
3. The case of the prosecution is that this petitioner along with A2 was found in possession of CDs of some new films. A2 was already arrested by the Police.

4. Learned Government Advocate (Crl.Side) submits that there are no bad antecedents against this petitioner.

5. Under such circumstances, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

<https://hcservices.courts.gov.in/hcservices> [b] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
07/01/2015

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.
3. THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No. 1172

SR : 13.01.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.87 of 2015
Date :07/01/2015