

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 51 read with 63 of Copyright Act,1957 in Crime No.27 of 2016 on the file of the respondent police, the petitioner/A2 has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner/A2 along with other accused alleged to have possessed 11 boxes of pirated DVDs worth about Rs.1,796,00,000/- and the same have been seized by the respondent police.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and He has no connected with the alleged offence. He further submitted that he is the owner of Maa Shanthose Express Cargo and their duty is only to load and unload goods to and from different places. Based on the confession statement of the co-accused, the petitioner has been falsely implicated in this case.

4. Learned Government Advocate (Criminal Side) would contend that A3 is the driver and the petitioner/A2 is the owner of Cargo and the said Cargo is also having a branch at Delhi. Admittedly, A2 and A3 have received pirated new film DVDs and delivered the same to A1, who is having a shop at Burma Bazaar, to sell the same illegally.

5. Considering the facts and circumstances of the case and taking note of the fact that the petitioner/A2 is only a cargo owner, 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 (15) days** from the date of receipt of a copy of this order, **before the Chief Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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. until further orders;

[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]**.

09.06.2016

kal

Crl.O.P.No.7070 of 2016