



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

Monday, the Twenty Seventh day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10339 of 2016

KAMARAJ

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO.236 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S M.VEILKANI RAJU Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

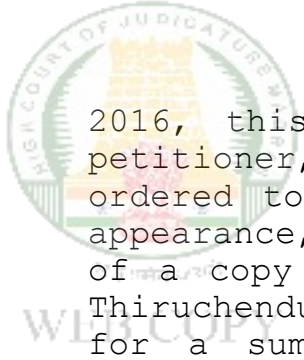
The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 15 of Tamil Nadu Exhibition of Films on T.V.Screen through VCR and Cable Television Network Regulation Act, 1984 and Section 63 of Copy Right Act, in Crime No.236 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 20.06.2016 the respondent police found that the petitioner's private cable namely Dhanu Telecasting new Film namely "Velaienu Vanthutta Vellaikkaran" without permission under the Copy Right Act. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is running a Private Cable T.V., with proper permission. A2 and A3 are the sons of the petitioner. No complaint has been made from Public.

4.The learned Government Advocate(Crl.side) submitted that A2 and A3 were arrested and enlarged on bail by the Judicial Magistrate, Tiruchendur in Crl.M.P.No.6329 of 2016.

5.Considering the facts and circumstances of the case and also considering the fact that A2 and A3 were arrested and enlarged on bail by the Judicial Magistrate, Tiruchendur in Crl.M.P.No.6329 of



2016, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner 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, Thiruchendur, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
27/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR, THOOTHUKUDI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,THOOTHUKUDI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, THIRUCHENDUR POLICE STATION, TUTICORIN DISTRICT.

+1. CC to M/S M.VEILKANI RAJU Advocate SR.No.33262

ORDER IN

CRL OP(MD) No.10339 of 2016

Date :27/06/2016