



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

Friday, the First day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10649 of 2016

SIDIQ

... PETITIONER/ACCUSED No.2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
V.P.C.(VIDEO PIRACY CELL)
FORT STATION, TRICHY
CR.NO.545 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S S.GOKULRAJ, 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 :-

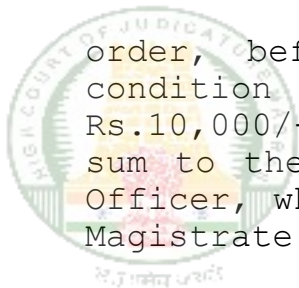
The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 52(A) r/w 68A of Copy Rights Act and 292 (A) IPC in Crime No.545 of 2016, on the file of the respondent Police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 23.06.2016, while the respondent has conducted ride, they found computers and other machineries are used for downloading new cinemas and obscene videos in the petitioner's shop. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he is a reputed person in the locality and he has not committed any offence as alleged by the prosecution. The petitioner was using the seized computer for D.T.P.work.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner is the owner of the shop and investigation is pending.

5.Considering the facts and circumstances of the case, 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 No.1, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties 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/-
01/07/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.1, TRICHY.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
 3. THE INSPECTOR OF POLICE,
V.P.C.(VIDEO PIRACY CELL)
FORT STATION, TRICHY
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S S.GOKULRAJ Advocate SR.No. 34463

ORDER IN
CRL OP(MD) No.10649 of 2016
Date :01/07/2016