



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

Monday, the Twenty Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14046 of 2016

1 THIRUMANIKANDAN
2 RAMACHANDRAN

... PETITIONERS/ACCUSED NOS.1&2

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ANTI VIDEO PIRACY CELL POLICE STATION,
TIRUNELVELI.
(CRIME NO.116 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

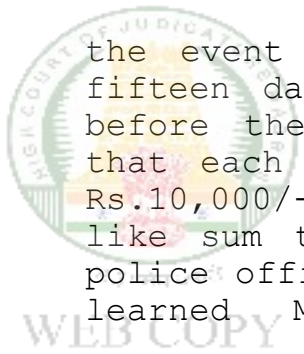
The petitioners who are arrayed as accused, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 51 r/w. 63 of Copyrights Act, 1957 and 7(1)(a) of Cinematography Act, 1952 in Crime No.116 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners, who are all the employees of the Lakshmi Theatre, recorded the movie viz., "Pandiyoda Kalatta Thangala" and published the same on 10.06.2016. On complaint, a case has been registered for the above said offences.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He further submitted that the movie is failure movie and uploaded by many persons all over Tamil Nadu and prays for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the investigation is almost completed.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in



the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sattankulam on condition that each of the petitioners 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 petitioners shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners are complying with the condition or not.

sd/-

22/08/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, SATTANKULAM
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE
ANTI VIDEO PIRACY CELL POLICE STATION,
TIRUNELVELI.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.46687
RL/6C/2P/SKS/RR/SARI/30/8/2016

ORDER

IN

CRL OP(MD) No.14046 of 2016

Date :22/08/2016