



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

Tuesday, the Twenty Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15453 of 2016

KASIAMMAL

... PETITIONER/ACCUSED No.2

Vs

THE STATE OF TAMILNADU REP. BY ITS
THE INSPECTOR OF POLICE
VIDEO PIRACY CELL, CBCID,
DINDIGUL DISTRICT.
IN CRIME NO. 82 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KANNAN 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 apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 3(1)(a) 8(A) r/w. 15(3) TNEF on TV screen through Cable TV Network Regulation Act, 1984 and 52(A) r/w. 68(A) of Copy Right Act, 1957 in Crime No.82 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner who is the Cable TV Operator telecasted new movie without permission. On complaint, case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is the Proprietor of Cable TV Operator and she is house wife and she is no way connected with the offence and A1 was arrested and enlarged on bail by the Court below in Crl.M.P.No.1141 of 2016, dated 11.04.2016 and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner telecasted the movie without any permission and the investigation of the case is pending.



5. Considering the facts and circumstances of the case and also considering the fact that A1 has already been arrested and enlarged on bail, 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, Nilakkottai, Dindigul District and 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 10.00 am 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 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 petitioner is complying with the condition or not.

sd/-
23/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NILAKKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE
VIDEO PIRACY CELL, CBCID, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.KANNAN Advocate SR.No.46639

ORDER IN
CRL OP(MD) No.15453 of 2016
Date :23/08/2016