

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1683 OF 2016

ORDER:

This Criminal Revision Case is filed challenging the order, dated 16.5.2016, in CrI.M.P.No.1555 of 2016 in Crime No.61 of 2016 on the file of the Additional Judicial Magistrate of First Class, Jaggayyapeta, Krishna District, whereunder and whereby, the petition filed by the petitioner herein/owner of the property under Sections 451 and 457 Cr.P.C. to direct respondent No.2 herein to produce the property i.e., office keys of the petitioner to the Court below and return the same to him so as to enable him to run the business in the said office, was dismissed.

2. The offences alleged against the petitioner are punishable under Section 420 I.P.C. and Sections 51, 63 and 65 of the Copy Right Act.
3. Heard and perused the material available on record.
4. Learned counsel for the petitioner submitted that the Court below by its order, dated 27.4.2016, in CrI.M.P.No.1483 of 2016 in Crime No.61 of 2016, ordered interim custody of the seized equipment on furnishing a self bond of Rs.8,00,000/- with one surety for the like sum; that having released the seized equipment, the Court below erred materially in not directing the return of the keys of the office premises of the petitioner, which were also seized along with the equipment, to the petitioner; that there was no complaint against the business of the petitioner in operating CITI Cable Telecasting Network and the only complaint was against A-2 that he was telecasting the TV channels of SUN Network beyond the authorized area; that if the keys are not released to the petitioner, the business of the petitioner will be spoiled.
5. Considering the facts and circumstances of the case and after hearing the submissions made by the learned counsel for the

petitioner, this Criminal Revision Case is disposed of with the following direction:

The petitioner is directed to file an affidavit before the trial Court informing that he will not telecast the TV channels of SUN Network beyond the authorized area i.e., Jaggaiahpet area and in case of any violation, he is liable to hand over the keys to the trial Court. On such affidavit, the trial Court shall return the keys to the petitioner on his execution of a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with one surety to the satisfaction of the learned Magistrate.

6. Miscellaneous petitions pending, if any, in this Criminal Revision Case shall stand closed.

JUSTICE RAJA ELANGO

4.7.2016
AMD

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Date: 4.7.2016

AMD