



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

**Crl.O.P. (MD) No.9811 of 2019**

M.Kaliraj

: Petitioner

Versus

The State rep. by,  
The Inspector of Police,  
Intellectual Property Enforcement Cell,  
Tirunelveli,  
Tirunelveli District.

: Respondent

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the respondent police not to harass the petitioner by way of restraining the local cable TV operation providing by him.

|                |   |                                                      |
|----------------|---|------------------------------------------------------|
| For Petitioner | : | M/s.K.Abiya                                          |
| For Respondent | : | Mr.K.K.Ramakrishnan,<br>Additional Public Prosecutor |
| For Intervenor | : | Mr.B.Prasannavinnoth                                 |

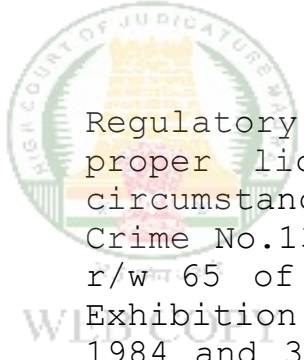
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**ORDER**

This petition has been filed seeking a direction to the respondent police not to harass the petitioner.

2. The grievance of the petitioner is that, he is running a cable TV business at Kovilpatti in Tuticorin District. Now, the respondent police is interfering with his business, based on the complaint given by the rival cable TV operator and also forcing the petitioner to close the business. In the above circumstances, the present petition has been filed seeking for the aforesaid relief.

3. Today, the respondent police filed a status report stating that, as on today, the petitioner is doing cable TV business through Analog system, which is prohibited by the Telecom



Regulatory Authority of India. The petitioner, without obtaining proper licence, running the cable TV business. In the above circumstances, a crime was registered against the petitioner in Crime No.134 of 2018 for the offences punishable under Sections 51 r/w 65 of Copy Right Act, 1957 and 10 r/w 15(3) of Tamil Nadu Exhibition of Film on T.V. - V.C.R. Cable T.V. Regulation Act, 1984 and 3 r/w 16 Cable T.V. Net Work Registration Act, 1995. The investigation in the said case is pending and the petitioner was called for the purpose of enquiry only and without appearing for enquiry, he has filed the present petition.

4. Considering the fact that now, a crime has been registered against the petitioner in Crime No.134 of 2018 and the investigation is pending and the petitioner is being called only for the purpose of enquiry, the petitioner is directed to appear before the respondent for enquiry and under the guise of enquiry, the respondent is directed not to harass the petitioner and conduct an investigation in a proper manner and file a final report.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS )

To

1. The Inspector of Police,  
Intellectual Property Enforcement Cell,  
Tirunelveli,  
Tirunelveli District.

2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.K.ABIYA, Advocate ( SR-75150[F] dated 15/07/2019 )

Order made in  
**Cr1.O.P. (MD) No.9811 of 2019**  
**Dated: 12.07.2019**