



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 01/09/2022

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PRESENT

The Hon'ble Mr. Justice G.ILANGO VAN

Crl.OP(MD)No.5570 of 2022

Chellasamy

... Petitioner/Sole Accused

Vs.

State rep by its
The Inspector of Police,
Puliankudi Police Station,
Kadanallur Taluk,
Tenkasi District.
(Crime No.507 of 2021)

... Respondent/Complainant

For Petitioner : Mr.V.Muthuvelan, Advocate

For Respondent : Mr.Thanga Aravandh.B
Government Advocate(Criminal side)

PETITION FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.507 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offences punishable under section 15(4) of Tamil Nadu Exhibition of Films on Television Screen through Video Cassette Recording (Regulation) Act 1984, section 16 of the Copyright Act, 1957 and section 420 IPC, in Crime No.507 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that he was a licensed operator of Cable TV and he running the same in the name and style of Ganapathy Murugan Cables. He was also regularly paying the amount, that is payable to the Government. On 25/01/2018 at about 10.00 am, he



inspected the cable line. At that time, he was found that the accused persons without proper licence were given cable connection to the customers and collected money illegally. Because of the above said illegal transmission of the TV channels, he has suffered loss. On the basis of the above said complaint, the case was registered.

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3. Seeking anticipatory bail, this petition has been filed.

4. Heard both sides.

5. The de-facto complainant filed WP(MD) No. 6510 of 2018 for taking action against the petitioner herein. On the basis of the above said order, now the case has been registered. During the course of enquiry, it was found that originally, this petitioner was granted licence to operate a parallel transmission line and that was, dated 21/06/2017. After that, the licence was renewed till 15/01/2022. Now he is running the business in the name called Kokila Cable. The de-facto complainant is the licenced contractor. When it is stated that the licence has been renewed, but no document has been collected so far to show the renewal licence.

6. So the petitioner must appear before the respondent police and share the information with regard to the renewal of licence. If during the course of investigation, it was found that no renewal has been made, then the petitioner has to compensate the licence operator. He is also liable to be tried. For that purpose, he must appear before the respondent police and cooperate with him for completing the process of investigation.

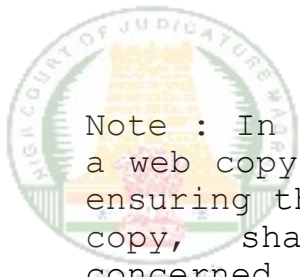
7. Considering the above facts and circumstances of the case, this court is inclined to enlarge the petitioner on anticipatory bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sivagiri and on his executing 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.00 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

Sd/-
01/09/2022

/ TRUE COPY /

07/09/2022

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

1. THE JUDICIAL MAGISTRATE,
SIVAGIRI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
PULIANKUDI POLICE STATION,
KADANALLUR TALUK,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5570 of 2022
Date :01/09/2022

SP/SVR/SAR I/07/09/2022/3P/5C