



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22986 of 2018

UPPALAMANGARAJU,

... PETITIONER / ACCUSED RANK NO.2

Vs

THE INSPECTOR OF POLICE,
(CRIME), SATTUR TALUK POLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.

(IN CRIME NO.292 OF 2018) ... RESPONDENT / COMPLAINANT

For Petitioner : MR.C.M.ARUMUGAM Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
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 the alleged offence punishable under Section 420 IPC and Sections 103(a), 104 of Trade Marks Act, 1999 in Crime No.292 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the partner of one East India Match Factory. According to the defacto complainant, the said factory has used a Trade mark namely watch in their lable, having yellow colour background with English and Hindi letters and the same is registered as per Registration Number 23308 and another registration number 600834.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] for the State.

4. According to the learned counsel for the petitioner, there is no trade mark violation and he prayed for grant of anticipatory bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The learned Government Advocate [Criminal Side] opposes



the grant of Anticipatory Bail and he states that according to the defacto complainant there is violation of trade mark.

6. Considering the facts and circumstances of the case and the complaint is on Trade mark violation, this Court is 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 before the learned Judicial Magistrate, Sattur, Virudhunagar District and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Magistrate concerned. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
27/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
SATTUR, VIRUDHUNAGAR DISTRICT.
 2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE INSPECTOR OF POLICE,
(CRIME), SATTUR TALUK POLLICE STATION,
SATTUR, VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to MR.C.M.ARUMUGAM Advocate SR.No.24185

ORDER
IN
CRL OP(MD) No.22986 of 2018
Date : 27/12/2018