



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

Thursday, the Twentieth day of September Two Thousand and Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16860 of 2018

DHARMAR @ RAMASAMY

... PETITIONER / ACCUSED NO.1

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO.518 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.PRABU, Advocate.

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

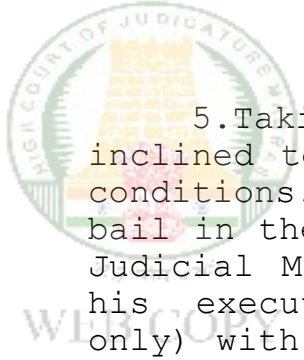
The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 482, 483, 486 and 420 IPC, in Crime No.518 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 05.09.2018, the petitioner along with other accused using the fake trademark of No.10 Beedi company of the de-facto complainant, the petitioner along with other accused are manufactured and sold out the public. Hence, a case has been registered.

3.The learned counsel appearing for the petitioner would submit that no offence is made out as against the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.

5. It is seen from the F.I.R that the petitioner along with other accused are manufactured Beedi and labelled the other trade mark and sold out the same. The averments are not made out as against the petitioner. If at all, the de-facto complainant want to take action, he has to file only suit for infringement for his trade mark.



5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner 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 Court, Alangulam, Tirunelveli District, 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 on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
20/09/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ALANGULAM, TIRUNELVELI DISTRICT.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
 3. THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.M.PRABU, Advocate, SR.No.17996.

ORDER
IN
CRL OP(MD) No.16860 of 2018
Date : 20/09/2018

RAM/VR MMS/SAR 4/26.09.2018/2P/6C