



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

Monday, the First day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4189 of 2019

1 MURUGAN
2 RAMACHANDRAN
3 JOHN BRIGHT
4 ISAFRIN REETA
5 MALLIGA
6 RAJESH
7 JEYARAJ
8 SATHIYA JEBASEELAN

... PETITIONERS / ACCUSED NO.1 TO 8

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.101/2019

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.S.SANKAR, Advocate

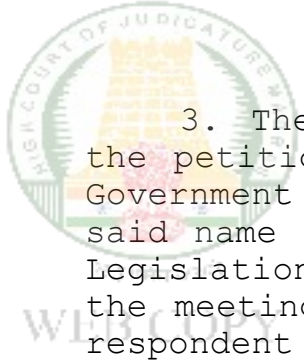
For Respondent : Mr.K.K.RAMAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who are apprehending arrest at the hands of the respondent police for the alleged offences under Sections 170, 420 of IPC and Sections 3 and 5 of Emblems and Name (Prevention of Improper Use) Act, 1950, in Cr.No.101 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that contrary to the Letter No.13598/HR/2009-4 , Public (Human Rights) Department, Secretariat, Chennai-9 and contrary to the amendment of law in the Tamil Nadu Societies Registration Act, the petitioners have given wide publication as if they are President and Chairman of "International Human Rights and Anti-Crime Organisation", created several post as if International Human Rights and Anti -Crime Organisation was incorporated under the Legislation of Government of India and they intend to convene a meeting in the locality, thereby the respondent police registered a case against the petitioners.



3. The learned counsel for the petitioners would submit that the petitioners registered the Logo under the Trade Mark Registry, Government of India and they are entitled to function in the above said name and the said Organisation is also incorporated under the Legislation of Government of India and they are entitled to convene the meeting in the said locality and due to false information the respondent police registered a case against the petitioners and hence he prayed for anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners are not entitled to register under the Trade Mark Act and no Government order has granted approval to the said symbol and the trade mark registration and other documents are fake one and the same was not registered by the Government of India. Further the petitioners are not entitled to use the word "Human Rights organization" which is already prohibited in the above said Government Letter No.13598/HR/2009-4 , Public (Human Rights) Department, Secretariat, Chennai-9

5. Considering the facts and circumstances of the case and since the petitioners have established the International Human Rights and Anti Crime Organisation, there is no Department called legislation of Government of India available in our Country and considering the crime committed by the petitioners and also the petitioners have acted as a extra judicial authority, I am not inclined to grant anticipatory bail to the petitioners. Hence this petition is dismissed.

sd/-

01/04/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.S.SANKAR, Advocate SR.No.5879

ORDER

IN

CRL OP(MD) No.4189 of 2019

Date :01/04/2019