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

Friday, the Nineteenth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8783 of 2019

SIRAJTHEEN ... PETITIONER /3rd ACCUSED

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
SHLOAVANDAN POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.145 OF 2019) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.RAMASAMY 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 offences punishable under Sections 486, 420 IPC and Section 103(a), 104 of Trade Marks Act, 1999, in Crime No.145 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that only based on the confession said to have been given by the accused Nos.1 and 2, the petitioner herein has been falsely implicated in the above case. He further submitted that the petitioner has not committed any offence and therefore, he prayed to grant anticipatory bail to the petitioner.

3.Per contra the learned Additional Public Prosecutor has submitted that the petitioner herein has manufactured Beedies and affixed the stickers of Mangalore Ganesh Beedi, No.10. A.S.Photo Mark Beedi without getting any permission from the said Beedi company, engaged accused Nos.1 and 2 for selling Beedies. He further submitted that the accused No.1 was arrested and he gave confession, in which, he has stated that the petitioner herein has manufactured Beedies and affixed the sticker of No.10 A.S.Photo Mark Beedi and gave him to sell the same to the public. He further submitted that for investigation purpose, the custodial

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interrogation of the petitioner is necessary and also a similar type of case is pending against the petitioner and therefore, he strongly opposed this petition.

4.Taking into consideration of the fact that in the confession statement given by the accused No.1, he has stated that the petitioner herein has manufactured Beedies and affixed sticker of No.10 A.S.Photo Mark Beedi and handed over the same to him for parcelling the same and to sell to the public and also the fact that the similar type of case is also pending against the petitioner and also the submission made by the learned Additional Public Prosecutor, the custodial interrogation of the petitioner is absolutely necessary for investigation purpose, this Court is not inclined to grant anticipatory bail to the petitioner.

5.Accordingly, this Criminal Original Petition is dismissed.

sd/-
19/07/2019

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

TO

1 THE SUB INSPECTOR OF POLICE,
SHLOAVANDAN POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8783 of 2019
Date :19/07/2019

JM/VR/SAR 3/25.07.2019/2P/3C

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