



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22397 of 2018

SYED APPA

... PETITIONER /2nd ACCUSED

Vs

THE STATE BY
THE INSPECTOR OF POLICE
IPREC, MADURAI.
(CRIME.NO.196/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.VENKATESH Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 51(b) (i) r/w. 63(a) of Copy Right Act, 1957, in Cr.No.196 of 2018 seek anticipatory bail.

2.The case of the prosecution is that the petitioner manufactured and selling replica of defacto complainant's product and transported through lorry service. Hence, the complaint.

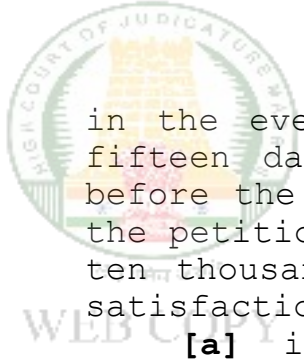
3.The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged crime.

4.The learned Government Advocate (Crl. Side) submits that the the case is under Copy Rights Act. A1 in this case has been arrested and released on bail.

5.Taking into consideration the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner.

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

6.Accordingly, the petitioner is ordered to be released on bail



in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi, on condition that the petitioner shall execute 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

04/01/2019

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

TO

- 1 THE JUDICIAL MAGISTRATE
TENKASI, TIRUNELVELI DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
 - 3 THE INSPECTOR OF POLICE
IPREC, MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to MR.D.VENKATESH Advocate SR.No.358

ORDER

IN

CRL OP(MD) No.22397 of 2018

Date :04/01/2019