



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

Date : 07/01/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.121 of 2020

1.Selvaraj
2.Esakkimuthu

... Petitioners/Accused
No.1 and 2

Vs

The State rep.by
The Inspector of Police,
Kadayam Police Station,
Kadayam,
Tirunelveli District.
Crime No.7/2020

... Respondent/Complainant

For Petitioners : M/s.S.Palani Velayutham,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C
PRAYER :-

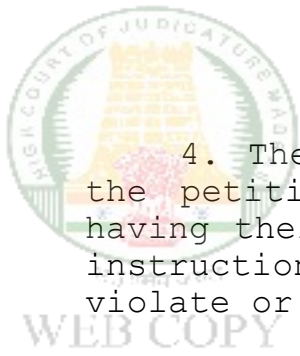
For Anticipatory Bail in Crime No.7/2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the
learned Additional Public Prosecutor appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences under sections 482, 483, 486 and
420 of I.P.C. r/w. Section 78 of Trade and Merchandise Marks Act,
1958, in Crime No.7 of 2020, on the file of the respondent police,
seek anticipatory bail.

3. The learned Additional Public Prosecutor strongly opposed the
grant of relief by pointing out that the petitioners have indulged
in forging the commercial label of the defacto complainant's
company.



4. The petitioners' counsel on the other hand would point out the petitioners are rival beedi manufacturers and that they are having their own independent trademark. The petitioners' counsel on instructions states that the petitioners have no intention to violate or infringe the trademark of the defacto complainant.

5. Recording the said submission, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Ambasamudram, Tirunelveli District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners 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/-
07/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
AMBASAMUDRAM, TIRUNELVELI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
KADAYAM, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.PALANI VELAYUTHAM Advocate SR.No.393

ORDER
IN
CRL OP(MD) No.121 of 2020
Date : 07/01/2020

IAS

<https://hccs.judges.org/Case/Details/2020/2P/6C>