



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

Tuesday, the Fourth day of January Two Thousand and Twenty Two

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD) No.14151 of 2021

JEEVA @ JEEVAHAN

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
SIVAKASI EAST POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
(CRIME NO.382 OF 2021)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.THALAIMUTHARASU G Advocate  
For Respondent : MR.RMS.SETHURAMAN,  
ADDITIONAL PUBLIC PROSECUTOR

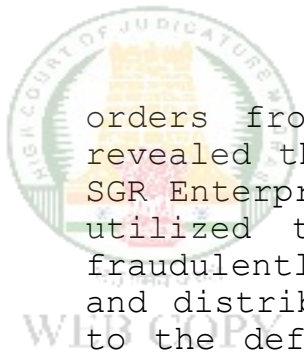
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.382 OF 2021 ON THE FILE  
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 IPC, in Crime No.382 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the *defacto* complainant is running a paper cup company in the name and style of Sri Ponn Polymers at No.1337/A, Sattur Road, Sivakasi East for the past 10 years. The *defaco* complainant obtained license vide No.CPCBL.No.b-170011/7/PWM/COMP/2020(ITC) to purchase materials from the Pandian Meena Paper Company, Ernakulam and produce the best plastic material coated paper cup which can be used as fertilizer and easy to decompose as eco-friendly. The *defacto* complainant came to know that the accused nos. 1 and 2, without getting any prior permission or approval from the *defacto* complainant, have started printing by using the license number of the *defacto* complainant on the Aavin Milk Company paper cups material and the same was banned by the Tamil Nadu Government, as it is an non-decomposable and harmful to the environment. On enquiry, it revealed that they received work



orders from A3, who is the proprietor of MRK Laminator and A3 revealed that he got work order from A4, who is the proprietor of SGR Enterprises. Thus, all the accused persons have manufactured and utilized the paper cups with the banned plastic material and fraudulently printing the license number of the defacto complainant and distributed the same to the customers and thereby caused loss to the defacto complainant to the tune of Rs.25 lakhs. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and not committed any offence as alleged by the prosecution. The petitioner is the owner of the printing press. Without verifying the genuineness of the order given by the fourth accused, this petitioner alleged to have printed paper cups by printing the logo of Aavin. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that co-accused was arrested and released on bail and this petitioner is arrayed as second accused in this case and he is the owner of the printing press.

5.Considering the facts that the petitioner is the owner of the printing press, that the co-accused was already enlarged on regular bail by this Court and that the limited role played by the petitioner in the above said crime, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.II, Sivakasi 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 the petitioner shall appear before the respondent police daily at 10.30 am for a period of 30 days and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
04/01/2022

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/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE NO.II,  
SIVAKASI.

2 DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE  
SIVAKASI EAST POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14151 of 2021

Date :04/01/2022

RS/JM/SAR.4(07.01.2022) 3P-5C