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

Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.15763 of 2022

Maman Ratha

... Petitioner/2nd Accused

Vs

State rep.by
The Inspector of Police,
Thenkarai,
Theni District.
(Crime No.346/2022).

... Respondent/Complainant

For Petitioner : M/s.Fazil Kirmani B, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.346 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 482, 483, 486, 103(a) and 104 of Trade Marks Act in Crime No.346 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant version is that they are running a business establishment called Syed Beedi and he is the Manager and they got trademark in the above said name. On information it was found that some of the persons by using the above said trade mark are selling dubious beedies. Based on the above said, information the case has been registered.



3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner is the whole sale seller. A1 purchased the same from the second petitioner and the petitioner in turn sold the same to the third accused. Now the first accused was arrested and remanded to judicial custody and he is still in judicial custody. The value of the product is worth about Rs.43,700/-

5. Considering the fact that no previous case is pending against the petitioner and also the fact that only A1 sold the property to the petitioner and the fact that A3 was granted bail, this Court is inclined to grant anticipatory bail to the petitioner with some conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Periyakulam, 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 learned Magistrate concerned and on further condition that the petitioner shall deposit a sum of Rs.43,000/- (Rupees Forty three thousand only) to the credit of Crime No.346 of 2022 and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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 stands dismissed.

Sd/-
01/09/2022

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08/09/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



1. THE JUDICIAL MAGISTRATE,
PERIYAKULAM.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
THENKARAI, THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.FAZIL KIRMANI B Advocate SR.No.9614

ORDER
IN
CRL OP (MD) No.15763 of 2022
Date :01/09/2022

SP/SVR/SAR II/08/09/2022/3P/6C