



Crl.O.P.No.7714 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 51(b) (i), 63(a) of Copy right Act,1957 and 420, 486 of I.P.C, in Crime No.931 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant/Satheesh Kumar who is a Regional Director south E.I.P.R (India) Pvt. Ltd is that the petitioner manufactured duplicate Rin, Surf Excel, Ariel Washing Powder and marketed the products by using the brand name of Hindustan Unilever Limited and Proctor & Gamble Limited. . Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner manufactured duplicate Rin, Surf Excel, Ariel Washing Powder and marketed the products by using the brand name of Hindustan Unilever Limited and Proctor & Gamble Limited. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and also considering the facts of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 on which the order copy made ready, before the **learned Judicial Magistrate – II, Ponneri, Thiruvallur**, on condition that the



Crl.O.P.No.7714 of 2023

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petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[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



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CrI.O.P.No.7714 of 2023

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 229A IPC.

18.04.2023

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Crl.O.P.No.7714 of 2023

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Crl.O.P.No.7714 of 2023

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