



Crl.O.P.No.25817 of 2023

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C.V.KARTHIKEYAN, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 103(a) of Trade Mark Act, 1999 and 120-B, 406 and 420 of IPC in Crime No.25 of 2023, seek anticipatory bail.

2. It is stated that the defacto complainant is conducting courier agency in the name of Garuda Vega and in the name of Nexgen Logistics Pvt. Ltd. The petitioners were previously working under the said company and later came out of it and started a new company in the name of Vega Logistics.

3. It is claimed that Vega is a similarly used word which was earlier used by the defacto complainant and complaining that there is a damage to pass off the business of the petitioners as that of the defacto complainant, a complaint had been lodged.

4. In view of all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Tiruppur, on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of this Court concerned, failing which, the petition for



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anticipatory bail shall stand dismissed and on further condition that:

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[a] the petitioners 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 first petitioner shall appear before the respondent police once in a week ie., on every Monday at 10.30 a.m., for a period of two weeks and thereafter as and when required. The second petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

10.11.2023

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