

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2889 OF 2025**

Chozhimadathingal Mohammed Ashraf & Ors. ...Applicants
Versus
The State of Maharashtra & Anr. ...Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO.3074 OF 2025**

Jobin Joy & Anr. ...Applicants
Versus
The State of Maharashtra & Anr. ...Respondents

Mr. Ganesh Gole, Mr. Gaurav Shukla and Mr. Jainam Jain i/b. Apex Juris LLP, for the Applicants.
Mr. S. A. Karmakar, APP, for the Respondent-State in ABA/2889/2025.
Ms. S. K. Gajre, APP, for the Respondent-State in ABA/3074/2025.
Mr. Hrishikesh S. Shinde, for the Respondent No.2-Intervenor.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 24th NOVEMBER 2025**

PC:-

1. Heard Mr. Gole, learned Counsel appearing for the Applicants, Mr. Shinde, learned Counsel appearing for the Respondent No.2 and Mr. Karmakar, learned APP and Ms. Mulekar, learned APP appearing for the Respondent-State.

2. These applications are filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.132 of 2025 registered with Mundhwa Police Station, Pune for the offences punishable under Sections 66, 66(C), 66(D) and 85 of the Information Technology Act, 2000, Sections 29, 101, 102, 103, 104, 114 and 115 of the Trade Marks Act, 1999 and Sections 318(4), 238(c), 241 and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The Applicants in Anticipatory Bail Application No.2889 of 2025 are the accused Nos.1 to 3 and the Applicants in Anticipatory Bail Application No.3074 of 2025 are accused Nos.4 and 5 in the said crime.

3. As per the prosecution case, the First Informant is the Proprietor of the registered trade mark “Dermakraft” and in the year 2022 the accused company allegedly started clinic under deceptive similar name “Dermacraft” and launched the website “dermacraftclinic.com” and created various social media handles thereafter, infringed the First Informant’s registered trademark.

4. It the submission of Mr. Gole, learned Counsel appearing for the Applicants that the dispute is mainly of civil nature and

therefore, the Anticipatory Bail Application be granted. He further submits that in any case, now the dispute between the parties has been settled.

5. Mr. Shinde, learned Counsel appearing for the Respondent No.2 i.e. the First Informant confirms that the dispute between the parties is settled.

6. Mr. Karmakar, learned APP and Ms. Mulekar, learned APP submit that the offence is very serious and therefore, the pre-arrest bail be not granted.

7. Perusal of the record shows that prima facie, the offence is of civil nature. Both, the Applicants and Respondent No.2 have entered into the Consent Terms. The said Consent Terms are taken on record and marked 'X' for identification.

8. Accordingly, in the facts and circumstances, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant No.1- Chozhimadathingal Mohammed Ashraf, the Applicant No.2-Rehna Ashraf and the Applicant No.3-Anish Ashraf in Anticipatory Bail Application No.2889 of 2025 and the Applicant No.1-Jobin Joy and the Applicant No.2-Anoop Surendran in Anticipatory Bail Application No.3074 of 2025 in connection with C.R. No.132 of 2025 registered with the Mundhwa Police Station, Pune, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.10,000/- each with one or two solvent sureties each in the like amount.
- (b) The Applicants shall attend the Mundhwa Police Station, Pune as and when called.
- (c) The Applicants shall furnish their cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person

acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

- (e) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

9. The Anticipatory Bail Application are disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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