



Crl.OP.No.2159 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2159 of 2025

Prakash Singh

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Intellectual Property Right Enforcement
Cell, Chennai Unit I & II,
Ayanavaram Road, Thiruvalluvar Nagar,
Purasaiwakkam, Chennai-600 023.
(Crime No.01/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.01 of 2025 on the file of the respondent
Police.

For Petitioner : Mr.Mario Johnson Dominic

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 51(b) (1) & 63(a) of Copyright Act, 1957 in Crime No.01 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has been selling duplicate mosquito repellent citronella incense sticks in the name of defacto complainant's company . Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any stringent conditions imposed by this Court. Hence, he prays for granting anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent submitted that, no material has been seized from the petitioner. However, he opposed for grant of anticipatory bail.



WEB COPY 5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the nature of allegations; and that the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on the certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **XI Metropolitan Magistrate Court, Saidapet**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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



CrI.OP.No.2159 of 2025

copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily 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 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 269 BNS.

07.02.2025

Index : Yes / No

Internet : Yes / No

dpa



CrI.OP.No.2159 of 2025

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To

1.The Inspector of Police,
Intellectual Property Right Enforcement
Cell, Chennai Unit I & II,
Ayanavaram Road, Thiruvalluvar Nagar,
Purasaiwakkam, Chennai-600 023.

2.The XI Metropolitan Magistrate Court,
Saidapet.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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CrI.OP.No.2159 of 2025

SUNDER MOHAN, J.

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CrI.O.P.No.2159 of 2025

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