



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

Tuesday, the Thirtieth day of August Two Thousand Eleven

PRESENT
The Hon`ble Ms.Justice R.MALA

CRL OP(MD) No.10534 of 2011

GOUTHAM KUMAR

:PETITIONER/SOLE ACCUSED

-Vs-

THE STATE REP. BY
THE INSPECTOR OF POLICE,
FORT POLICE STATION,
ROCK FORT,
TRICHY-2.

:RESPONDENT/COMPLAINANT

For Petitioner : M/S. R.SUNDAR,
Advocate

For Respondent : MR.A.RAMAR,
ADDITIONAL PUBLIC PROSECUTOR.

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

ORDER:The Court Made the following order:-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 of I.P.C. and 63 and 65 of Copy Right Act in Crime No.1037 of 2011 on the file of the respondent police and hence, seeks anticipatory bail.

2.The learned counsel for the petitioner would submit that the petitioner was the owner of the electrical shop in the name of Sunrise Electricals and a false case has been foisted against him under Sections 420 of I.P.C. and 63 and 65 of Copy Right Act, as if he has sold the duplicate electrical appliance. He would further submit that the petitioner is doing his business for the past five years without any adverse remarks and the alleged occurrence took place on 02.08.2011 and the complaint has been given on 09.08.2011 and the investigation is going on. Hence, he come forward with this application for anticipatory bail.

3.Mr.A.Ramar, learned Additional Public Prosecutor would submit that private investigating agency has purchased some property, then only came to know that the chokes has been sold as if it was manufactured by Crompton Company and 500 chokes has been seized from the shop and the investigation is going on. Hence, he prayed for dismissal of this application.



4. Considering the rival submissions made by both sides, the petitioner is the owner of Sunrise Electricals and duplicate electrical appliance has been purchased by the private investigating agency then only complaint has been given, after that during the investigation, 500 chokes has been seized, as if it was manufactured by the Crompton company, but the investigation is considerably over all are borne out by documents and the fabricated materials has already been seized, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Trichy and on executing 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 report before the Magistrate concerned daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. 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/-

30/08/2011

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO:

1. The Judicial Magistrate No:I,
Trichy.
2. -Do- Thro' The Chief Judicial Magistrate,
Trichy.
3. The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Inspector of Police,
Fort Police Station, Rock Fort, Trichy-2.
- +1. CC to M/S. R.SUNDAR Advocate SR.No.29647.

RP/05.09.2011/2P/6C.