

THE HONOURABLE SRI JUSTICE K.SURENDER
CRIMINAL PETITION NO. 2907 & 2910 OF 2022

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/Accused in the event of their arrest in connection with Crime No.66 of 2022 on the file of Station House Officer, Sulthan Bazar Police Station, Hyderabad registered for the offences punishable under Sections 420, 486 of Indian Penal Code, 1860 (I.P.C.) and 63 of Copy Right Act.

2. Heard the learned counsel for the petitioners, learned Assistant Public Prosecutor and perused the record.

3. The crime is registered under Section 420, 486 of Indian Penal Code, 1860 (I.P.C.) and 63 of Copy Right Act on 08.03.2022 against the unknown accused. Thereafter, notices were issued to the accused under Section 41-A Cr.P.C asking the petitioners to appear on 28.03.2022 to answer the questions regarding the crime registered.

4. Sri. K. Pradeep Reddy, learned counsel for the petitioner submits that the petitioners are not named in the FIR and on the basis of material found at Yousuf and Company, the Branch Manager of ITC Limited, Secunderabad filed a complaint stating that there is an attempt of anitsocial elements to manufacture of counterfeit products and harm the goodwill of the company.

5. Learned counsel for the petitioner submits that petitioners are running company in the name of Hyderabad Deccan Cigarettes Factory Private Limited, which company is known to the police and they have never engaged in any acts of counterfeit of any of the products of the ITC Limited.

6. On the other hand, learned Assistant Public Prosecutor submits that Section 41 Cr.P.C notice already issued, however, the police have not conducted any search at the premises of the company of the accused. There are no averments in the notice issued under Section 41 Cr.P.C, as to how the police are suspecting, on the basis of which 41 Cr.P.C was issued.

7. In the said circumstances, the petitioners are directed to surrender before the Station House Officer, Sulthan Bazar Police Station, Hyderabad for assisting investigation and upon such surrender, the said Station House Officer shall release the

petitioners/Accused on bail on their executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each with two sureties to the like sum each to his satisfaction.

8. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER,J

Date :04.04.2022
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