

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.19362 of 2015
and MP.No.1 of 2015

K.Varadharajan

... Petitioner

Vs

1.State through Sub Inspector of Police,
Vaitheeswaran Koil Police Station,
Sirkazhi Taluk, Nagapattinam District.

2.Dr.K.Devalatha
The Chief Medical Officer,
Sirkazhi Government Hospital,
Sirkazhi, Nagapattinam District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to call for the records in connection with the FIR in
Cr.No.68 of 2015 dated 18.02.2015 under Section 420 IPC and Section
15[2] and 15[3] of the Indian Medical Council Act, 1956 pending on
the file of the 1st respondent/complainant police and quash the same.

For Petitioner : Mr.M.Ramamoorthi

For Respondents : Mr.C.Emalias, APP [for R1]

O R D E R

This petition has been filed to quash the FIR in Crime No.68 of
2015 on the file of the 1st respondent.

2. Heard the learned counsel for the petitioner; learned
Additional Public Prosecutor appearing for the 1st respondent and
perused the materials placed on record.

3. It is seen that the respondent police inspected the place of
the accused, accompanied by a Government Doctor and it was found that
the petitioner was dispensing Allopathy medicines to public and that,
he was not a qualified Physician.

4. Learned counsel for the petitioner submitted that the
petitioner is a practitioner of alternative medicines and that, the
case has been foisted against him.

5. Be that as it may, the FIR discloses the recovery of syringes and other Allopathy medicines from the premises of the petitioner and the investigation is at very early stage. When there is a prima facie material, the FIR cannot be quashed as held by the Hon'ble Supreme Court in State of Haryana Vs Bhajan Lal 1992 Supp [1] SCC 335.

In view of the above, this petition is devoid of merits and dismissed. Consequently, connected Miscellaneous Petition is closed.

gya

s/d-

Assistant Registrar(LA)

True Copy

Sub-Assistant Registrar

To

1.Sub Inspector of Police,
Vaitheeswaran Koil Police Station,
Sirkazhi Taluk, Nagapattinam District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.M.Ramamoorthi, Advocate, sr.15077 (11/09/2015)

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सत्यमेव जयते

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