

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27488 of 2015

and M.P.No.1 of 2015

Dr.A.Sureshkumar ... Petitioner

Vs.

- 1.State Rep. By
The Sub Inspector of Police,
G.10, Anaicut Police Station,
Pavanjur, Cheyyur Taluk,
Kancheepuram District.
- 2.Murali Krishnan,
The Joint Director of Medical Services,
Kancheepuram. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to call for the records in relating to the FIR filed by the respondent in Crime No.178 of 2015 on the file of the Sub Inspector of Police, G.10, Anaicut Police Station, Pavanjur, Cheyyur Taluk, Kancheepuram District and quash the same.

For Petitioner : Mr.G.Muthukrishnan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor for R1

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O R D E R

This petition has been filed to quash the FIR in Crime No.178 of 2015 on the file of the Sub Inspector of Police, G.10, Anaicut Police Station, Pavanjur, Cheyyur Taluk, Kancheepuram District

2. Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that a case

has been registered against the petitioner under Sections 417 and 420 IPC r/w Section 15(R) and 15(3) of Medical Council Act on the allegation that the petitioner is practising in Allopathy, but he is not a qualified Doctor to practise in Allopathy and thus he opposed to dismiss this petition.

3. Learned counsel for the petitioner submits that the petitioner is only practising in Electro Homeopathy for the past 9 years, but with the false allegation, the complaint has been filed. He further submits that the petitioner had never practised in Allopathy.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent.

5. Considering the submissions made on either side, I am of the opinion that the present criminal original petition has been filed to quash the FIR in Crime No.178 of 2015. At this juncture, this Court cannot conducted any roving enquiry. Further, the scope for quashing the FIR is very narrow. Therefore, the present petition is premature in nature. Hence, I am not inclined to entertain this petition.

Accordingly, this petition is dismissed with liberty to file a fresh petition after filing final report. Consequently, connected miscellaneous petition is closed.

vsm

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Sub Inspector of Police,
G.10, Anaicut Police Station,
Pavanjur, Cheyyur Taluk,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

NM/CO
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