



WEB COPY

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

Thursday, the Nineteenth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.3908 of 2015

V. KAMATCHINATHAN

... PETITIONER/ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PUTHUR POLICE STATION, THOOTHUKUDI DT,
CRIME NO.20/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.CHANDRAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 12.02.2015 for the offences punishable under Sections 419, 420 I.P.C. r/w. 15(2), 15(3) of Indian Medical Council Act, 1956 and Section 8 of Private Clinical Establishment of Regulation Act, 1997, in Crime No.20 of 2015 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3. The case of the prosecution is that the petitioner is practicing as an Allopathy Doctor and was disposing allopathy medicines.

4. The learned counsel for the petitioner submits that the petitioner is a Siddha Doctor and he had not dispensed any Allopathy medicine.

5. Taking into consideration the fact that the petitioner is in incarceration from 11.02.2015, I am of the opinion that this is a fit case to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate,



Tuticorin and on further condition that:

[a] the petitioner shall report before the respondent police daily at 6.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-
19/03/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, THOOTHUKUDI.

2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3 THE OFFICER INCHARGE, SUB JAIL, KOVILPATTI.

4 THE INSPECTOR OF POLICE,
PUTHUR POLICE STATION, THOOTHUKUDI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.CHANDRAN Advocate SR.No.13289

ORDER
IN

CRL OP(MD) No.3908 of 2015
Date :19/03/2015