



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Eleventh day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4445 of 2015

K.RAJINI KUMAR

..PETITIONER/ACCUSED

Vs.

STATE REP.BY INSPECTOR OF POLICE
THALAMUTHU NAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 57 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 29.01.2015 for the offence punishable under Sections 419, 420 IPC and Section 15(3) of Indian Medical Council Act 1956 and 8 of Tamil Nadu Private Clinic Establishment (Regulation) Act 1957 in Crime No.57 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. It is the case of the prosecution that this petitioner is a quack and was found to be practising Allopathy Medicine by claiming himself as having acquired MD qualification.

4. The learned counsel for the petitioner submits that the petitioner is a Homeopathy Doctor and that the petitioner is in jail since 29.01.2015.

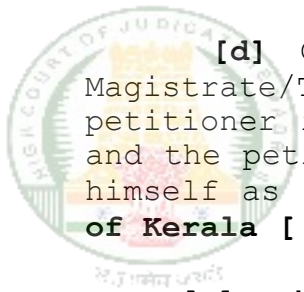
5. Taking into consideration the fact that the petitioner is in jail for the past 45 days, I am of the opinion that it is a fit case to grant bail, but with conditions.

4. 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, No.II, Thoothukudi, and on further condition that:

[a] the petitioner shall report before the respondent police everyday daily at 06.30 p.m. until further orders.

[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/-
11/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 INSPECTOR OF POLICE, THALAMUTHU NAGAR POLICE STATION,
THOOTHUKUDI DISTRICT.

5 THE OFFICER INCHARGE, SUB JAIL, THOOTHUKUDI.

+1. CC to M/S.S.R.ANBARASU Advocate SR.No.11786

ORDER IN

CRL OP(MD) No.4445 of 2015

Date :11/03/2015

PBK 11/03/2015 ::2P-7C: