

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

CrI.O.P. No.16471 of 2010 & M.P. No.1 of 2010

P. Rathinavel

Petitioner

vs.

State represented by:
the Inspector of Police
Erumpalai Police Station
Salem District

Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to call for the entire records in connection with the case in Crime No.207 of 2010 dated 11.06.2010 on the file of the respondent.

For petitioner Mr. S. Rajinikanth

For respondent Mr. C. Emalias
Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the entire records in connection with the case in Crime No.207 of 2010 dated 11.06.2010 on the file of the respondent.

2 Heard both sides.

3 On the complaint lodged by one Dr. M.K. Selvakalanjiyam, Joint Secretary, Indian Medical Association that the petitioner is practising Medicine even sans the necessary qualifications, the respondent police registered a case against the petitioner in Crime No.207 of 2010 on 11.06.2010 under Section 420 IPC read with Section 15(ii)(b) of the Indian Medical Council Act, 1956, challenging which, the petitioner is before this Court.

4 It is the case of the petitioner that he is a qualified Ayurveda doctor and in support of this contention, he has filed

a certificate bearing Registration No.BA 23347 that is said to have been issued by the Tamil Nadu Board of Indian Medicine, Madras. Similarly, it is also his contention that he is a qualified Siddha medical practitioner and in support of this contention, he has enclosed Certificate Number 09171 that is claimed to have been issued by the Tamil Nadu Siddha Medical Council, Chennai. Both these certificates have been enclosed at page nos.1 and 2 respectively of the typed set of papers

5 When this matter was taken up on 28.09.2016, the learned Additional Public Prosecutor doubted the genuineness of the two certificates and sought time to verify their credibility and therefore, at his request, this matter was directed to be listed today.

6 Today, the Registrar, Tamil Nadu Board of Indian Medicine, Arumbakkam and the Registrar, Tamil Nadu Siddha Medical Council, Arumbakkam has filed reports before this Court stating that the aforesaid certificates bearing nos.BA 23347 and 09171 are bogus ones, inasmuch as they have not been issued by the Tamil Nadu Board of Indian Medicine.

In view of the above, this Criminal Original Petition is liable to be dismissed and is accordingly dismissed. Connected M.P. is closed. The respondent police is directed to proceed further with the investigation in Crime No.207 of 2010 in accordance with law.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

cad
To

1 The Inspector of Police
Erumpalai Police Station
Salem District

2 The Public Prosecutor
Madras High Court
Chennai 600 104

+1 cc to M/s.S.Rajanikanth and S.Sengodi Advocate sr 55538

Cr1.O.P. No.16471 of 2010

mv(co)
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