



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

Tuesday, the Fifteenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21661 of 2016

KANI ALIAS KANIAMMAL

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALWARTHIRUNAGARI POLICE STATION,
TUTICORIN DISTRICT
CRIME NO. 193 OF 2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.D.GANESHA MOORTHY Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

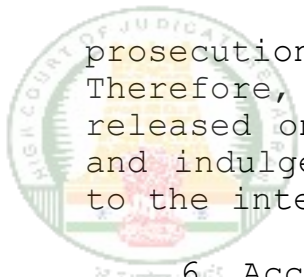
ORDER : The Court Made the following order :-

The petitioner / accused, who was arrested on 20.10.2016 for the offences punishable under Sections 336, 308, 419, 420 of I.P.C., r/w. Section 15(2), 15(3) of Indian Medical Council Act and Section 8 of Private Clinic Establishment Act in Crime No.193 of 2016 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 without having required qualification was running a clinic illegally and had indulged in aborting pregnancies of village people. It is alleged that when she conducted one such abortion to one Muthulakshmi in the clinic, she suffered serious complications and was shifted to Government Hospital, Tirunelveli for proper treatment and thereafter, she was discharged from the hospital.

4. The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 20.10.2016.



prosecution that she was running a parallel and moot hospital. Therefore, this Court is of the view that if the petitioner is released on bail, she will certainly open another clinic illegally and indulge in similar type of offences, which will be detrimental to the interest of the society especially pregnant ladies.

6. Accordingly, this criminal original petition is dismissed.

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sd/-
15/11/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ALWARTHIRUNAGARI POLICE STATION,
TUTICORIN DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE OFFICER INCHARGE,
DISTRICT WOMAN JAIL, KOKIRAKULAM,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT

+1. CC to M/S.A.D.GANESHA MOORTHY Advocate SR.No.68696

ORDER
IN
CRL OP(MD) No.21661 of 2016
Date :15/11/2016

SMA/MPA/AR-CS2/24.11.2016:2P/5C