

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.06.2017

C O R A M

The Honourable Mr.JUSTICE M.V.MURALIDARAN

Crl.O.P.No.22413 of 2010 & M.P.No.1 of 2010

Mr.I.Durairaj

...Petitioner

vs.

State by,
Inspector of Police
Siruvur Police Station
Erode District.

...Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the case in P.R.C.No.45 of 2010 on the file of the Learned Judicial Magistrate No.I, Gopichettipalayam and quash the same.

For Petitioner : Mr.C.P.Palanichamy
For Respondent : Mr.P.Govindarajan
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed praying to call for the records pertaining to the case in P.R.C.No.45 of 2010 on the file of the Learned Judicial Magistrate No.I, Gopichettipalayam and quash the same.

2. In the First Information Report, it is alleged that the petitioner, without obtaining certificate from the competent authority, has been practising as a Doctor and therefore, the First Information Report was registered against this petitioner and the same was taken on file as P.R.C.No.45 of 2010 on the file of the Judicial Magistrate No.I, Gobichettipalayam, which was challenged before this Court by filing the present criminal original petition.

3. A perusal of the typed set of papers produced by the petitioner containing pages 22 and 23, it is seen that the District Collector has issued Form VII, Certificate of Regular Practice, vide Rule 9(1) of the Act to the petitioner and Tamil Nadu Board of Indian Medicine, Madras has also issued a Certificate of Enlistment to the petitioner. Therefore, the

petitioner has been practising Modern Allopathic System of Medicine with appropriate medical certificate issued by the competent authority

4. Accordingly, the case in P.R.C.No.45 of 2010 on the file of the Judicial Magistrate No.I, Gobichettipalayam is liable to be set aside. Accordingly, the criminal original petition is allowed. Consequently, connected Miscellaneous petition is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Judicial Magistrate No.I,
Gopichettipalayam.
 2. The Inspector of Police,
Siruvur Police Station
Erode District.
 - 3.The Public Prosecutor,
High Court, Madras.
- +lcc to M/S.A. Madhumathi, Advocate Sr. 45869

Cr1.O.P.No.22413 of 2010

KJI (CO)
VR(03/08/2017)

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