



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

Friday, the Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.11913 of 2017

JOTHIMANI

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THANJAVUR TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.337 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

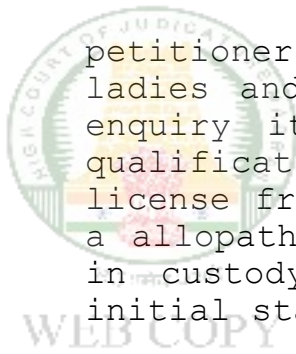
ORDER : The Court Made the following order :-

The petitioner / Sole accused, who was arrested on 23.08.2017, for the offences punishable under Sections 419 and 420 of I.P.C., r/w Section 15(2) of Indian Medical Council Act, 1956, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner without having any qualifications gave treatment to the local people, as well as pregnant ladies.

3.The learned counsel for the petitioner would submit that the petitioner is an aged lady and is an innocent person and she has been falsely implicated in this case. He would further submit that the allegations levelled against the petitioner in the FIR are false and concocted one and the petitioner's daughter was working as a staff nurse and the petitioner used to keep syringes and first aid medicines in the petitioner's home. The petitioner's daughter passed away 7 years ago and after her demise, the petitioner is keeping the said medicines in her house in the memorial of Soundari and the complainant, under wrong impression that the petitioner gave treatment to local people, and pregnant women, but there is no complaint from the general public.

4.The learned Additional Public Prosecutor submitted that the petitioner is the sole accused. The de-facto complainant inspected the 'Soundarya Clinic' of the petitioner and he found that the



petitioner is running an allopathy clinic and treating the pregnant ladies and also having some instruments used for abortion and on enquiry it is found that the petitioner have not acquired any qualification for running the allopathy clinic and also not have any license from the concerned medical counsel Authority to practise as a allopathy doctor. The petitioner was arrested on 23.08.2017 and in custody. He further submitted that the investigation is in initial stage.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is running a clinic without any qualification to treat the patients as allopathy doctor and also not obtained any permission having some instruments for abortion purpose and the investigation is in initial stage, this Court is not inclined to grant bail to the petitioner, at this stage. Hence, this Criminal Original Petition is dismissed.

sd/-
08/09/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
THANJAVUR TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.11913 of 2017
Date :08/09/2017

PK/CM-MSA/SAR-1/13.09.2017 : 2P/3C