



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

Wednesday, the Twenty Second day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15534 of 2017

S.GANESAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE  
ILLUPPUR POLICE STATION,  
PUDUKOTAI DISTRICT ,  
CR NO. 152/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.A.EBENEZER Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

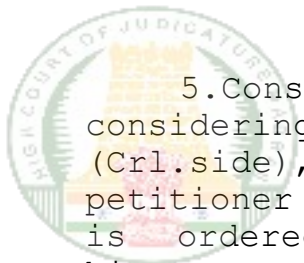
ORDER : The Court Made the following order :-

The petitioner / sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 15(3) Indian Medical Council Act, 1956 and 420 of I.P.C., in Crime No. 152 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner conducted medical shop with the expired license. On 25.10.2017, the Deputy Director found that the petitioner is working as a teacher in Government Higher Secondary School, running medical shop with the expired license, thereby the Joint Director of Medical and Rural Health Services gave a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner filed anticipatory bail which was dismissed by this Court in Crl.O.P.No.14640 of 2017 on 31.10.2017. He further submitted that the petitioner has been falsely implicated in this case. The petitioner did not treat the patient and he only gave prescription. However, the petitioner is running the medical shop with valid license given by the very same Joint Director. The change of circumstances in this case, the medical license granted by the Joint Director, inadvertently not brought before this Court earlier occasion, hence the present anticipatory bail petition.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the Joint Director of Medical and Rural Health Services, pudukkottai, had given medical license to the petitioners, thereafter he has lodged a complaint before the respondent police.



5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Keeranoor, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police, as and when required;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioner shall not commit any offence while on bail;
- (iv) the petitioner shall not abscond either during investigation or trial;
- (v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

22/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE ,KEERANOOR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKOTTAI DISTRICT

3 THE INSPECTOR OF POLICE  
ILLUPPUR POLICE STATION, PUDUKOTAI DISTRICT ,

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.T.A.EBENEZER Advocate SR.No.34993

JAM/04.12.17/CM-VR/SAR 2 / 2P-6C

ORDER IN

CRL OP(MD) No.15534 of 2017

Date :22/11/2017