



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

Thursday, the Fourteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.17255 of 2017

P.DURAIPANDIYAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE THROUGH,
THE INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION,
TUTICORIN.
CRIME NO.606/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.SENTHIL KUMARAI AH Advocate

For Respondent : M/S.M.MURUGAN, Government Advocate
for MR.K.ANBARASAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

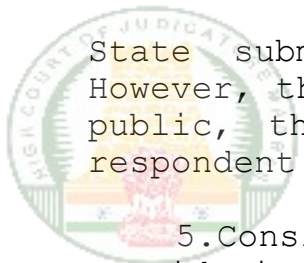
The petitioner / sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420 of I.P.C, Section 15,15(3) of Indian Medical Council Act, 1956 and Section 8 of Tamil Nadu Private Clinical Establishment Act, 1997, in Crime No. 606 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the the petitioner is giving allopathy treatment to the general public without any basic medical qualification. During surprise visit, the Joint Director made a complaint before the respondent police. Accordingly, the Law Enforcing Agency filed a case against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit any offence as alleged by the prosecution. He further submit that the petitioner's daughter is a qualified medical practitioner and running the dental clinic. Misunderstanding the assistance rendered by the petitioner to his daughter, the Joint Director filed a complaint before the respondent police.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl.side) appearing for the



State submitted that the petitioner's daughter is a Dentist. However, the petitioner is giving allopathy treatment to the general public, thereby the Joint Director gave 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 No.2, Kovilpatti, 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 daily at 10.30 a.m., until further order;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall not commit any similar offence while on bail;

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

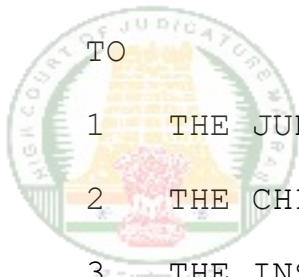
(v) the petitioner shall not abscond either during investigation or trial;

(vi) 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/-
14/12/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.2, KOVILPATTI

2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION, TUTICORIN.

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

+1. CC to M/S.J.SENTHIL KUMARAI AH Advocate SR.No.36245

ORDER

IN

CRL OP (MD) No.17255 of 2017

Date :14/12/2017

PK/RR/SAR-1/19.12.2017 : 3P/6C