



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

Thursday, the Twenty Third day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.3442 of 2017

RAJA

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THANJAVUR EAST POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO 719 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

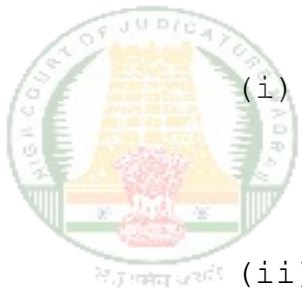
The petitioner who is arrayed as sole accused was surrendered and remanded to judicial custody on 21.03.2017 for the alleged offences punishable under Sections 419,420 of IPC r/w. Section 15 (ii) (c) of Indian Medical Council Act, 1956, in Crime No.719 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner is a Homeopathy Doctor, whereas he is practising as Allopathy Doctor without possessing requisite qualification and thereby committed, the above said alleged offence.

3. The learned counsel appearing for the petitioner submitted that as per the direction passed by this Court in Crl.O.P(MD).No.187 of 2017, the petitioner was surrendered before the concerned Magistrate on 21.03.2017 and remanded to judicial custody. He further submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) submitted that the investigation of the case is pending.

5. Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail, subject to the following conditions:



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(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur.

(ii) the petitioner shall stay at Pudukottai and report before the Inspector of Police, Town Police Station, daily at 10.00 am until further orders.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-
23/03/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBKONAM.

3.THE OFFICER INCHARGE, SUB JAIL, PAPANASAM.

4.THE INSPECTOR OF POLICE
THANJAVUR EAST POLICE STATION, THANJAVUR DISTRICT

5.THE INSPECTOR OF POLICE,
TOWN POLICE STATION,PUDUKOTTAI.

6.ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No.16967,17114

ORDER IN
CRL OP(MD) No.3442 of 2017
Date :23/03/2017