

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifteenth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.26370 of 2018

BALASUBRAMANIYAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE STATION HOUSE OFFICER,
MEENSURITTI POLICE STATION,
ARIYALUR DISTRICT.
CR.NO.277 OF 2018.

[RESPONDENT]

For Petitioner : M/S.M.SENTHILKUMAR Advocate

For Respondent : MRS.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420 IPC r/w 15(3) IMC Act in Crime No.277 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the Health Department had conducted a raid on the medical shop of the petitioner and they found that the petitioner had used the injection on the patients. Hence, a case has been registered as against the petitioner by the respondent police.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The defacto complainant has given a false complaint before the Health Department, and based on the false complaint, the respondent police have registered a case as against the petitioner. The petitioner further submits that according to the FIR, there is no specific overt act attributed as against the petitioner. Accordingly, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has involved in the above said occurrence and he is running the medical shop without obtaining valid licence from the Competent Authority. No other case is pending against the petitioner.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Jayamkondam, Ariyalur District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate / Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30a.m for a period of two weeks and thereafter as and when required.

-sd/-

15/11/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

सत्यमेव जयते

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, JAYAMKONDAM,
ARIYALUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER,
MEENSURITTI POLICE STATION,
ARIYALUR DISTRICT

WEB COPY

+1 CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary charges-Sr.21564

CRL OP.26370/2018

Date :15/11/2018

ths : 19.11.2018



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