

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : **23.01.2019**

CORAM:

THE HON'BLE MR.JUSTICE **N. ANAND VENKATESH**Crl.O.P.No.29213 of 2018

Dr.S.Vijayalakshmi

... Petitioner

Vs.

1.State rep. by

The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai – 600 019.2.The Joint Director of Rural and
Medical Health Services,
Thiruvallur District, Thiruvallur.3.The Health Officer,
Zone 1, Thiruvottiyur,
Chennai Corporation,
Chennai – 118.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 1st respondent police herein not to harass the petitioner at the instance of any complaint in respect of practice of Allopathic medicine without following the due process of law.

For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

This petition has been filed seeking for a direction to the first respondent police not to harass the petitioner, who is practicing Allopathic medicine.

2. The learned counsel for the petitioner would submit that the petitioner is practicing Allopathic medicine, who has valid qualification given by an authorised university. However, there is a regular harassment from the first respondent, due to which the petitioner is not able to continue with his practice of Allopathic medicine.

3. The learned Additional Public Prosecutor would submit that as and when there is a complaint against the petitioner to the extent that the petitioner is practicing Allopathy and prescribing Allopathic Medicine, the first respondent police has to necessarily enquire about the same, since it involves the life of people and public interest. The learned Additional Public Prosecutor would further submit that the first respondent police will not unnecessarily intervene with the practice of the petitioner, if he strictly adhered to practicing Allopathy.

4. The submissions made by the learned Additional Public Prosecutor is recorded and the first respondent police shall call the petitioner for an enquiry by issuing a summon only in case when there is a specific complaint that the petitioner is practicing Allopathy and prescribing Allopathic Medicines.

5. The Criminal Original Petition is disposed of with the above direction.

23.01.2019

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Index : Yes/No
Internet : Yes/No
Speaking order or non-Speaking order

dss

To:

1.The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai – 600 019.

2.The Joint Director of Rural and
Medical Health Services,
Thiruvallur District, Thiruvallur.

3.The Health Officer,
Zone 1, Thiruvottiyur,
Chennai Corporation,
Chennai – 118.

4.The Additional Public Prosecutor,
Madras High Court, Chennai – 104.

N. ANAND VENKATESH, J.

dss/nmm



Crl.O.P.No.29213 of 2018

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