

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 23.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.1652 of 2019

Dr.K.Muthu

... Petitioner

Vs.

1.The State Rep. By,
The Inspector of Police,
Manimangalam Police Station,
Kanchipuram District.

2.The Joint Director,
Health Department,
Kanchipuram District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents/his men and agents not to, at the instance of any complaint, harass the petitioner in respect of his practice of providing first and medial service in allopathy without following the due process of law.

For Petitioner : Mr.B.Harikrishnan

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

ORDER

This petition has been filed seeking for a direction to the first respondent police not to harass the petitioner, who is practicing first aid medial service in allopathy for more than ten years.

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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dss

To:

1.The Inspector of Police,
Manimangalam Police Station,
Kanchipuram District.

2.The Joint Director,
Health Department,
Kanchipuram District.

3.The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.B.Harikrishnan, Advocate, S.R.No. 5004

Cr1.O.P.No.1652 of 2019

GN(07/02/2019)