

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No. 6017 of 2020

S.Manjula
W/o.Sivashanmugam,
Main Road, Anathur,
Ulundurpet Taluk,
Villupuram 607 107.

... Petitioner

Vs.

The Sub-Inspector of Police,
Tiruvonnainallur Police Station,
Villupuram District.
Cr. No.141 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on anticipatory bail in the event
of her arrest in Crime No.141 of 2020 on the file of the respondent
police.

For Petitioner : Mr.S.Saravanakumar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 419, 420
of IPC r/w. 15(3) of Indian Medical Council Act, 1956, seeks
anticipatory bail.

2. The case of the prosecution is that the petitioner and her
husband (A1) had given allopathy treatment without having any
sufficient qualification and when search was conducted some allopathy
medicines, injunctions, medical equipments were found in her home.
Hence, the complaint.

3. The learned counsel for the petitioner would submit that the
petitioner is an innocent person and she has not committed any
offence as alleged by the prosecution. Therefore, he prays to grant
anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that
the petitioner is arrayed as A2 in this case. The petitioner and her
husband (A1) had given allopathic treatment in their locality without
having any sufficient qualification. Even three years back, a

complaint was registered against them for the same offence. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Ulundurpet Taluk, Villupuram District, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 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 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

02/07/2020

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

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)

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

High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ULUNDURPET TALUK,
VILLUPURAM DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB-INSPECTOR OF POLICE
TIRUVENNAINALLUR POLICE STATION,
VILLUPURAM DISTRICT,

CC to M/S. S.SARAVANAKUMAR Advocate on payment of necessary
charges

RD 18/08/2020



CRL OP.6017/2020

Date :02/07/2020

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