



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.4560 of 2020

J.Mohamed Rapeek

... Petitioner

Vs

1.State rep. by
Inspector of Police,
Nagudi Police Station,
Aranthangi Taluk,
Pudukottai District.

2.The Joint Director of Rural and
Medical Health Service,
Pudukottai District,
Pudukottai.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent 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.

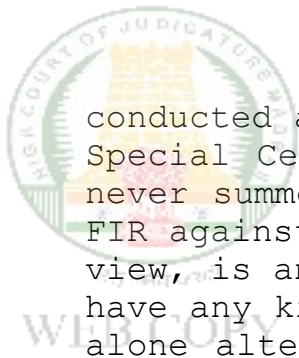
For Petitioner : Mr.R.Thamaraiselvan
For R1 : Mr.A.Robinson
Government Advocate (Crl.side)
For R2 : Dr.M.Chandrasekaran

ORDER

The petitioner claims to be a practitioner of alternative medicine. The petitioner alleges harassment at the hands of the first respondent.

2.When the matter was taken up for admission, Dr.M.Chandrasekaran appeared in person. He had been named as second respondent herein. He categorically stated that he had not given any complaint or petition against the petitioner herein. The first respondent Thiru.S.Sakthivel, Sub Inspector of Police, also states that they have not received any complaint from the second respondent herein.

3.I fail to understand as to why Dr.M.Chandrasekaran was arrayed as second respondent in the first instance. It appears that some complaint was sent against the petitioner to the Special Cell of the Chief Minister's Special Cell. The said petition was forwarded to the first respondent. The first petitioner had



conducted an enquiry and sent their response to the Chief Minister's Special Cell. The first respondent categorically states that they never summoned the petitioner herein. They have not registered any FIR against him. Therefore, the very filing of this petition, in my view, is an act of harassment. I can see that the petitioner is not have any kind of qualification to practice any form of medicine, let alone alternative medicine. The petitioner is under the erroneous impression that he is having qualification to practice homeopathy. No material has been enclosed in the typed set of papers.

4.In fact, even in the petition, the petitioner only states that he has passed in CMS and ED conducted by the National Skill Development Agency. I fail to understand as to how the grant of such approval to the petitioner will authorise him to practice medicine. The petitioner appears to be a quack. Since the petitioner had unnecessarily arrayed the second respondent in this petition and the second respondent had been made to come to this Court, the petitioner undertakes to instal Purifier System in the office of the second respondent within a period of one week.

5.With this direction, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
Nagudi Police Station,
Aranthangi Taluk,
Pudukottai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+ 1CC to Mr.R.Thamsaraiselvan, Advocate, Sr.11612

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SM/ (08.05.2020) 2P 4C