

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Crl.O.P. No. 9049 of 2021

Mahendar

.. Petitioner

Versus

The State represented by
The Inspector of Police
SIPCOT Police Station
Krishnagiri District. ... Respondent

Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No. not known of 2021 on the file of the respondent police.

For Petitioner : Mr. V. Murugesan

For Respondent : Mr. T. Shunmugarajeswaran
Government Advocate, (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who claims himself to be a Homeopathy Doctor and in possession of a Degree in Bachelor of Electro Homeopathy Medicine, apprehends arrest at the hands of the respondent police in connection with the case in Crime No. not known of 2021 for the offence punishable under Section 269 and 270 of IPC and Section 53 and 57 of Disaster Management Act and Section 3 of Epidemic Disease Act, 1897 and Section 7 of Essential Commodities Act, seeks anticipatory bail.

2. The case of the prosecution is that on 07.05.2021 during a routine vehicle check at Bye Pass road check post, the respondent police intercepted the vehicle of one Ananth Balaji and he was found in possession of 6 Remdivisher Corona Vaccine purportedly to sell it for higher price to those who are in need of such drug.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and he has not committed any such offence. It is also stated that the petitioner has nothing to do with the alleged possession of the drug by the said Ananth Balaji.

4.The learned Government Advocate (crl.side) appearing for the respondent/police vehemently opposed the Petition for anticipatory bail and submitted that the petitioner had been associated with the said Ananth Balaji in sale of the drug for higher price in black market. Further, investigation is pending and therefore, at this stage, the prayer of the petitioner need not be granted.

5.The petitioner is a Homeopathy Doctor. The offence alleged against him is that he, in collusion with others, indulged in sale of Remdivisher Corona Vacine for higher prices and to gain unlawfully. It is stated by the learned Government Advocate that investigation is pending in this case. The involvement of the petitioner in the alleged sale of the drug, along with others, has to be probed by the investigation agency and at this stage, the relief of anticipatory bail cannot be granted. Therefore, this Court is not inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

12/05/2021

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.1, KRISHNAGIRI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
KRISHNAGIRI DISTRICT.

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

CRL OP.9049/2021

Date :12/05/2021

TA-01/07/2021