

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirteenth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice S. KANNAMMAL

CRIMINAL ORIGINAL PETITION No.9086 of 2021

R.GOPINATH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM, VILLUPURAM DISTRICT.
CRIME NO.777/2021

[RESPONDENT]

For Petitioner : M/S M.GNANASEKAR Advocate

For Respondent :MR. T.SHUNMUGARAJESWARAN, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120-b AND 420 of IPC and Section 7(1)(a)(ii) of the Essential Commodities Act, 1955 in Crime No.777 of 2021, seeks anticipatory bail.

2. Totally there are three accused and the petitioner herein is A3. The case of the prosecution is that on 05.05.2021, on information, the police personnel had intercepted a car bearing registration No.PY-05-J2257 at Taxi Stand at Villupuram New Bus Stand and on inspection, A1, who is a doctor, running a hospital in the name of "Krishna Hospital" near Gingee, was found in possession of 5

bottles of Remdesivir injuncion used for Corona treatment, purportedly to sell it for higher price to those who are in need of such drug. Further, it was informed by A1 that he purchased the same from A2, who is working as Pharmacist in QNQ Healthcare, Villupuram. The allegation against the petitioner is that, A2 purchased the above said Remdesivir injuncion from the petitioner/A3, who is a Doctor in Government Hospital, Mundiambakkam.

3.The learned counsel appearing for the petitioner submits that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner has nothing to do with the alleged possession of the drug by A1.

4.The learned Government Advocate (crl.side) appearing for the respondent/police vehemently opposed the Petition for anticipatory bail stating that the petitioner/A3 associated with A1 and A2 had involved in sale of the Remdesivir drug for higher price in black market. He further submitted that, investigation is pending and therefore, at this stage, the prayer of the petitioner need not be granted.

5.The petitioner is a Doctor in Government Hospital, Mundiambakkam. The offence alleged against him is that he, in collusion with others, indulged in selling Remdesivir drug, used for Corona treatment, 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.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

13/05/2021

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 INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM, VILLUPURAM DISTRICT.
CRIME NO.777/2021

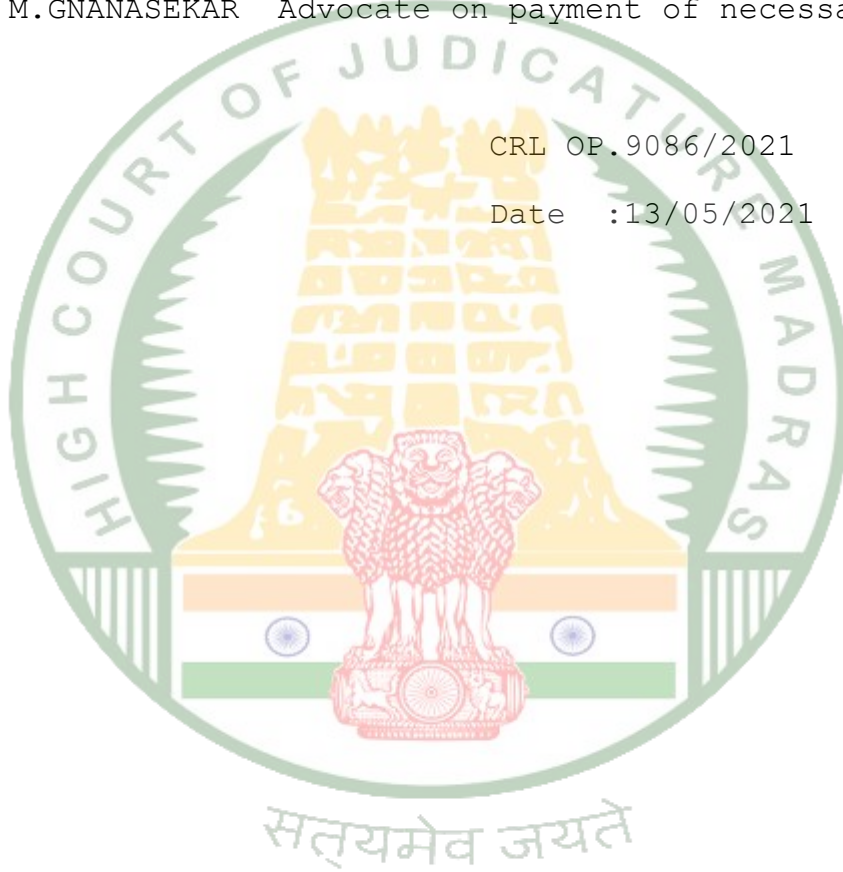
2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9086/2021

Date :13/05/2021

RVR 29/06/2021



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