

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.20275

CORAM

THE HON'BLE MRS. JUSTICE **T.V.THAMILSELVI**

Crl.O.P.No.9454 of 2021

P.Angamuthu, S/o.Palani
No.75/233, Kattukottai Village,
Paruvathanahalli Post,
Dharmapuri Taluk and Post.

... petitioner

Vs.

State Rep. by
The Inspector of Police,
Anchetty Police Station,
Krishnagiri District.
Cr.No.75 of 2021.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest in
Crime No.75 of 2021 on the file of the respondent police.

For petitioner : Mr.M.P.Saravanan

For Respondent : Mr.A.Damodaran

Government Advocate

(Crl. side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 15(3) Indian Medical Council Act and 27(b) (ii) of Drugs and Cosmetics Act and 420 of IPC, in Crime No.75 of 2021 seeks anticipatory bail.

2. According to prosecution, when the defacto complainant along with Village Administrative Officer randomly researched to eradicate fake doctors, the petitioner along with other accused were found treating people without proper medical education, resulting in registration of the present case.

3. The learned counsel for the petitioner would submit that as the petitioner is a friend of the first accused and based on the confession statement of the first accused, he has been falsely implicated in this case. But there is no allegation against this petitioner that he caused any medical mismanagement. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the petitioner was also found giving treatment to the people along with the first accused and medical equipments were also seized from their premises. He further submitted that the first accused has been arrested and still he is in custody and hence, objected for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and nature of allegations against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of normal functioning of the Court below, (i.e.,) before the learned District Munsif cum Judicial Magistrate, Denkanikottai, 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 abscond/s, a fresh FIR can be

registered under Section 229A IPC.

26.05.2021

Index: Yes/No

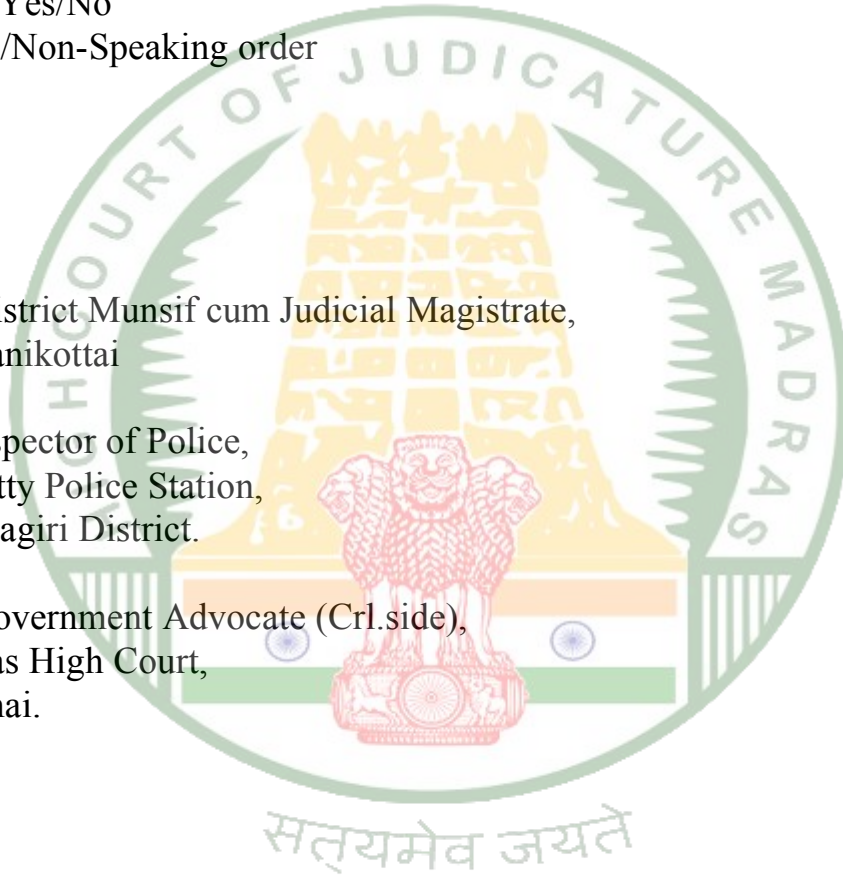
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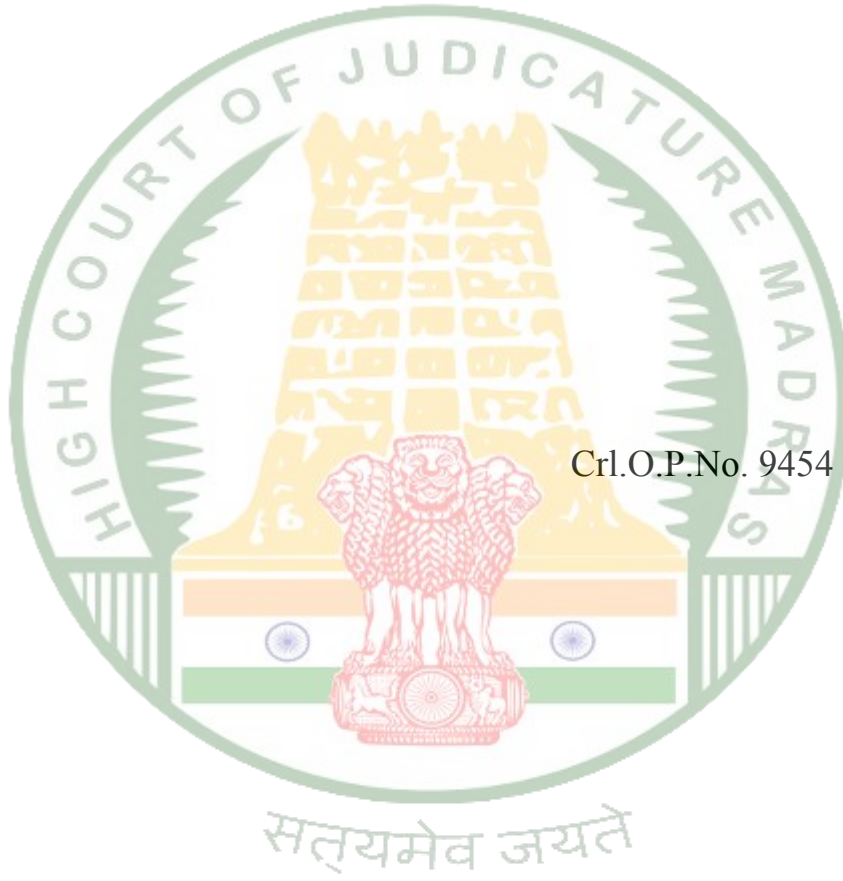
1. The District Munsif cum Judicial Magistrate,
Denkanikottai
2. The Inspector of Police,
Anchetty Police Station,
Krishnagiri District.
3. The Government Advocate (Crl.side),
Madras High Court,
Chennai.



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T.V.THAMILSELVI, J.

VTC



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