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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.16614 OF 2021

D.Nagarajan

... Petitioner

Versus

State Represented by

1. The Superintendent of Police,
Tiruvallur District,
Tiruvallur.
2. The Deputy Superintendent of Police,
Tiruttani Police Station,
Tiruttani - 631 209.
3. The Inspector of Police,
Tiruttani Police Station,
Tiruttani - 631 209.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, direct the respondents and their subordinates not to harass the petitioner.

For Petitioner :Mr.M.Mohammed Husain

For Respondents :Mr.R.Vinoth Raja
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed direct the respondents and their subordinates not to harass the petitioner.

2.The petitioner is a qualified registered medical practitioner from Ayurvedic and Unani medicines. The respondent



police under the guise of enquiry causing harassment not only to the petitioner, also causing harassment to the wife of the petitioner. Hence, he filed the above said Criminal Original Petition.

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3.The contention of the petitioner is that he is a registered medical practitioner and he has been practicing medicine from the year 2008. Now complaint has been received by the respondents stating that the petitioner is practicing Allopathy Medicine. Earlier the petitioner was called for enquiry, at that time, the petitioner appeared before the Tiruttani Police and produced the relevant documents, in proof of petitioner being a registered medical practitioner. After getting satisfied, the petitioner was sent back. Now, for what reason, the petitioner is harassing without any complaint is not known and also his wife, is being unnecessarily harassed. In support of his contention, the petitioner has produced the medical certificates.

4.The learned Government Advocate [Crl. Side] submits that previously an information was received by the Tiruttani Police stating that the petitioner is not a qualified Doctor and thereafter he was called for enquiry. During the enquiry, the petitioner has produced his Ayurvedic and Unani Medical Certificates. The respondent police found that the petitioner is a qualified Doctor in the field of Ayurvedi and Unani Medicine and not in the field of Allopathy. Hence, they advised the petitioner not to practice Allopathy Medicine and confined his practice to the field of Ayurvedic and Unani Medicines. Not knowing the same, the Special Team had visited the petitioner's clinic, thereafter conducted enquiry and the same is now termed as harassment. Further, the learned Government Advocate [Crl. Side] has produced the report dated 19.09.2021.

5.Considering the submissions and on perusal of the materials and the report produced, this Court finds that the petitioner is a qualified registered practitioner in the field of Ayurvedic and Unani Medicines. The respondent police also confirmed the genuineness of the certificate and got satisfied. The frequent calling of the petitioner by the respondent police might damage the petitioner's reputation.

6.In view of the same, the respondent police is directed not to harass the petitioner unnecessarily. If, the respondent police receive any specific complaint, they are entitled to enquire the petitioner. If the petitioner's wife is needed for enquiry, a woman police to be accompanied with the enquiry team.



7. With the above observation, this Criminal Original Petition stands disposed of.

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Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Tiruvallur District,
Tiruvallur.
2. The Deputy Superintendent of Police,
Tiruttani Police Station,
Tiruttani - 631 209.
3. The Inspector of Police,
Tiruttani Police Station,
Tiruttani - 631 209.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Mohammed Husain, Advocate, S.R.No.48392

CRL.O.P.No.16614 of 2021

GPL (CO)
PM/27/10/2021