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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.21712 of 2021

Chinnarasu

... Petitioner

Versus

State by the Inspector of Police
Gingee Police Station,
Gingee,
Villupuram District.
(Crime No.894 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on anticipatory bail in the event of arrest in relating to Crime No.894 of 2021 pending investigation on the file of the Respondent.

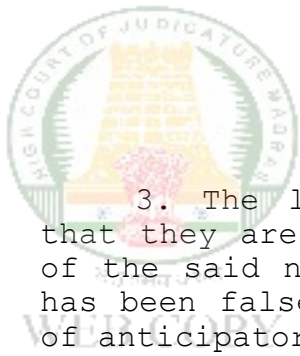
For Petitioner : Mr.C.Munusamy

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 420 IPC and Section 15 of Indian Medical Council Act, 1956 in Crime No.894 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a Naturopath and doing service to the people in the locality. The petitioner is residing at Melsithamur Village and serving the needy people in and around the vicinity as well as the persons living across the Gingee taluk and neighbouring villages of other Taluks for years together without any complaint or whatsoever. The respondent police ought to have verified facts and ground reality with the local people before registering FIR as against the public spirited person who is doing yeomen service to the needy and downtrodden people at free of cost.



3. The learned counsel appearing for the petitioner submitted that they are the parambarai mediciners of the proportional medicine of the said native place and he ready to abide any condition and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the investigation is still pending. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact, the nature of the offence and cooperate with the enquiry, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Gingee, Villupuram District, 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear before the respondent police every Friday at 10.30 a.m until further orders;

(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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-
18/11/2021

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,
GINGEE, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
GINGEE POLICE STATION,
GINGEE, VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.MUNUSAMY Advocate on payment of necessary charges
SR.NO.13003

CRL OP.21712/2021

Date :18/11/2021

JPA 22/11/2021