



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9226 of 2021

Mathiazhagan

... Petitioner/Accused

Vs

The State Represented by
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime.No.568/2021).

... Respondent/Complainant

For Petitioner : Mr.G.Thalaimutharasu,
Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

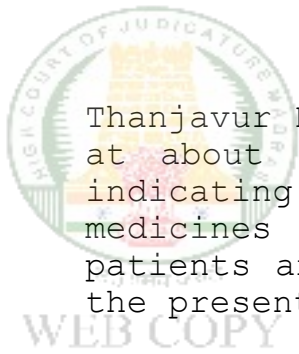
PRAYER :-

For Anticipatory bail in Crime No. 568 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 417 and 420 of I.P.C., in Crime No.568 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working as Chief Residential Doctor in Government Hospital at Papanasam. The defacto complainant received complaints from public that the accused/Mathiazhagan has been practising allopathy medicine without any qualification and license. A complaint had been received by the Joint Director of District Welfare Association,



Thanjavur District. Therefore, he conducted inspection on 20.06.2021 at about 12.00 noon. He found that there was no proper board indicating the name of the Doctor as well Hospital. Allopathy medicines were kept for the purpose of giving treatment to the patients and at that time, the petitioner was not there. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor opposed this petition on the ground that the petitioner studied only upto 10th standard and the petitioner is running allopathy hospital without having proper qualification and practise in allopathy medicine. Therefore, he seeks dismissal of this petition.

5.As seen from the allegations made in the First Information Report that the petitioner alleged to have practised in allopathy medicine, when he was not having qualification. The minimum qualification of M.B.B.S., degree is required for practising allopathy medicine. The petitioner studied only 10th standard. This kind of practise is very dangerous to the public. They would spoil the physical health and at some times, it will result in fatality due to their faulty treatment. The quacks are to be removed from the society. The custodial interrogation of the petitioner is necessary for the purpose of unearthing the truth behind this case and bring the investigation to a close. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

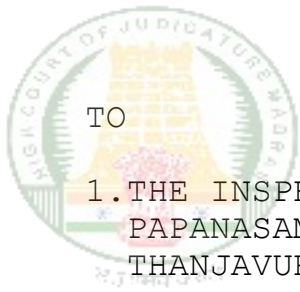
6.Hence, this Criminal Original Petition is dismissed.

sd/-
13/07/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE INSPECTOR OF POLICE,
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9226 of 2021

Date : 13/07/2021

IAS

SS/SRS/SAR-III/15.07.2021 : 3P/3C