



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.9509 of 2021

WEB COPY

Selvi,

... Petitioner/Accused

Vs

The Inspector of Police,
Guziliamparai Police Station,
Dindigul District.
(In Cr.No.523/2021).

... Respondent/Complainant

For Petitioner : M/s. Parthasarathy.A,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory bail in Crime No.523 of 2021 on the file of the respondent police.

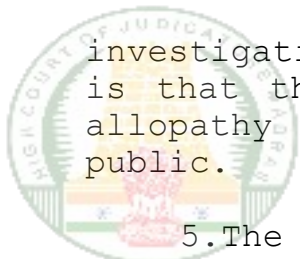
ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 420 of IPC r/w 15(3) of Indian Medical Council Act, 1956 in Crime No.523 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.06.2021 at about 12.00 noon, the de-facto complainant along with other officials conducted a search in Kumar Clinic run by accused-Selvi, situated at Dindigul to Karur Main Road. During the inspection, they found allopathy medicine was practised by Selvi and by prescribing allopathy medicines. On coming to know that the de-facto complainant and other officials were coming for an inspection, accused-Selvi escaped from there. Her Assistant K.Kaliammal was there. She also took permission for attending nature calls and then escaped. Therefore, this case came to be registered on the basis of the complaint given by the de-facto complainant.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case. He further submitted that the petitioner is certified pharmacist and she runs a pharmacy, she has not run any clinic for practicing allopathy medicine.

4.The learned Government Advocate (Criminal side) for the respondent strongly opposed this petition on the ground that the



investigation in this case is not completed. His further submission is that though the petitioner is a pharmacist, she had practised allopathy medicine by prescribing allopathy medicine to the general public.

5. The petitioner who is a registered pharmacist, said to have practised allopathy medicine in Kumar Clinic. The learned counsel for the petitioner submitted that the petitioner is not running a Kumar Clinic, but running a pharmacy. However, she has not produced any material in support of her case that she is running a pharmacy. The allegation is that she has been practicing allopathy medicine. Admittedly, the petitioner is not a Doctor possessing a minimum qualification of MBBS for practicing allopathy medicine. The allegation against the petitioner is very serious. The petitioner is not equipped to practise as medical practitioner. The lives of innocent public is at stake. The investigation is at the preliminary stage. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-

19/07/2021

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/ /2021

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

SJI

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,
Guziliamparai Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP (MD) No.9509 of 2021

Date : 19/07/2021