



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9532 of 2022

Sampath

...Petitioner

Vs.

1.The Superintendent of Police,
Tiruppattur District.

2.The Sub-Inspector of Police,
Jolarpet,
Tiruppattur District.

3.The Joint Director of Rural and Medical
Health Services,
Tiruppattur District.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioner without due process of law at instance of any false and frivolous complaint in respect of practice of allopathy medicine as community health care provider (CHP) under legal provision of 2(ee) (iii) of the Drugs and Cosmetics Rules 1945 while implementing Tamilnadu Clinical establishment (Regulations) rules-2018.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.V.Meganathan,

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondents not to harass the petitioner without due process of law at the instance of any false and frivolous complaint in respect of practice of allopathy medicine as community health care provider (CHP) under legal provision of 2(ee) (iii) of the Drugs and Cosmetics Rules 1945 while implementing Tamilnadu Clinical establishment (Regulations) rules-2018.



2. When the matter is taken up for hearing, Mr. V. Meganathan, learned Government Advocate (crl. side) would submit that the petitioner is the accused in Crime No. 88 of 2022 registered by the second respondent for the offence under Sections 417, 420 of IPC and 15(3) of Indian Medical Council Act, 1956. He would further submit that the respondents are not harassing the petitioners.

3. Under such circumstances, once the regular FIR has been registered, the question of "Not to harass" will not arise. Any direction issued by this Court at this stage will amount to interfering with the investigation conducted by the respondent police.

4. This Criminal Original Petition is closed, accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai
To

1. The Superintendent of Police,
Tiruppattur District.
2. The Sub-Inspector of Police,
Jolarpet,
Tiruppattur District.
3. The Joint Director of Rural and Medical
Health Services,
Tiruppattur District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.9532 of 2022

RK(CO)
SP(16/05/2022)