



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13584 of 2022

MURUGAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY,
THE STATION HOUSE OFFICER,
RAMANATHAM POLICE STATION,
CUDDALORE DISTRICT.
(CR.NO.296/2022)

[RESPONDENT]

For Petitioner : M/S.N.U.PRESSANNA Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 312 & 420 of IPC and Section 4 of Medical Termination of Pregnancy Act, 1971 r/w Section 15(3) of Indian Medical Council Act, 1956, in Crime No.296 of 2022, seeks anticipatory bail.

2. As per the case of the prosecution, the de facto complainant is one Mrs.Selvi W/o Vaithiyalinagam, alleged in her complaint that her daughter Anitha married to one Velmurugan. When her daughter got conceived, both her daughter, the said Anitha and her son-in-law decided to abort the child and conveyed the same to the defacto complainant. Thereafter, they approached Om Sakthi Medical and Hospital at Thittagudi for the purpose of aborting the foetus. In the said Medical, there were three nurses and one unknown doctor i.e., the petitioner herein who made them to believe that they are the best doctors in the locality. Having made them to believe, he received a sum of Rs.15,000/- from her son-in-law for scanning on 24.04.2022. After scanning, it was reported to the defacto complainant that her daughter was carrying a female child in her



womb. Thereafter, as per the advice of the petitioner herein and the nurses, again on 05.05.2022, the defacto complainant, her daughter Anitha and her son-in-law Velmurugan went to the Om Sakthi Medical Centre and paid a sum of Rs.30,000/- for abortion. Treatment was conducted and during the treatment, defacto complainant's daughter lost her consciousness and fainted. Hence, the petitioner took her in his car bearing Reg No. TN 91 R 7346 to one Arputha Hospital at Perambalur, where the treatment was rejected and then she was taken to Amma Hospital and there also the treatment was rejected. Finally, she was taken to the Perambalur Government Hospital and was admitted at ICU. Alleging that all the incidents had taken place only because of the petitioner, the defacto complainant lodged a complaint against the petitioner.

3. The learned Additional Public Prosecutor submitted that the petitioner is not qualified to even run the medical shop and he is a 10th standard fail person. He further submitted that he is running a medical shop in the name and style of Om Sakthi Medical and Hospital, where he engaged two nurses and used to abort pregnancy. While doing so, the victim/daughter of the defacto complainant went to the petitioner for aborting her pregnancy. Due to the action of the petitioner, the victim died.

4. Therefore, this Court is of the view that custodial interrogation of the petitioner is very much essential in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

13/06/2022

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 STATION HOUSE OFFICER,
RAMANATHAM POLICE STATION,
CUDDALORE DISTRICT.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.U.PRESSANNA Advocate on payment of necessary
charges

CRL OP.13584/2022

Date :13/06/2022

CSK 20/06/2022