



Crl.OP.No.16549 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 05.07.2022 for the offences punishable under Sections 312, 420 of IPC, 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 on the file of the respondent police, seeks 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



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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 petitioner posted himself as a Doctor and had given medicine for abortion of the pregnancy to the victim. Due to which, she fainted and thereafter, she was taken to the hospital, where she died. The petitioner is only a pharmacist and without any qualification, he committed very serious offence as against the general public. That apart, the petitioner was arrested only on 05.07.2022.



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4. Therefore, this Court is not inclined to grant bail to the petitioner
and this Criminal Original Petition is dismissed.

20.07.2022

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