



Crl.O.P.No.26586 of 2022

A.D. JAGADISH CHANDIRA, J.,

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The petitioner, who apprehends arrest for the alleged offences under Sections 417, 420, r/w.15(3) of Indian Medical Council Act in Crime No.381 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner without having any requisite qualification was practising Allopathy medicine in the village. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is a social worker and he was having medicines for distribution to the poor people in the village. The respondent suspected that the petitioner was running a clinic and had registered the case against him. He would submit that no previous case is pending against the petitioner. He would further submit that without prejudice to the contentions, the petitioner is ready and prepared to deposit a sum of Rs.15,000/- to the credit of Chief Minister's Relief Fund. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The Government Advocate (Crl.side) would submit that the petitioner is practising Allopathy medicine in the village without any valid



licence. He would submit that no previous case is against the petitioner. He would further submit that the investigation is pending. Hence, he oppose for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions :

6. Accordingly, the petitioner shall make a non refundable deposit of **Rs.15,000/- (Rupees Fifteen Thousand only) each** by way of Demand Draft/RTGS/NEFT to the credit of the “**Chief Minister's Public Relief Fund, Indian Overseas Bank, Secretariat Branch, Chennai SB.A/c. No.117201000000070, IFSC Code. No.IOBA0001172**”, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Tirupattur, Tirupattur District on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who



intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30a.m., for a period of two weeks and thereafter on every Saturday at 10.30a.m until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

With the above directions, this Criminal Original Petition is ordered.

16.11.2022

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