



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/04/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD).No.6780 of 2022

Silambarasan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
Cr.No.40 of 2022.

... Respondent/Complainant

For Petitioner : Mr.Suresh.R.M,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.40 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 17.03.2022 for the offences punishable under Sections 268, 420 of IPC and Section 4(1) of Tamilnadu Open Places (Prevention of Disfigurement) Act 1959 and Section 15(3) of Indian Medical Council Act 1956 registered by the respondent police, seeks bail.

2.The case of the prosecution is that on 17.03.2022, when the defacto complainant, namely J.John Brito, who is the Co-Director, Welfare Department, Tirunelveli District has received information that a medical college and hospital for Electropathy, Amuthasekaran Electropathy Medical College and Hospital, is running at Periyathalai Village, Thisayanvilai Taluk, Tirunelveli Distirct by the petitioner/accused without valid license, thereby the defacto complainant along with Drug Inspector, Palayamkottai and the Inspector of Police, Uvari Police Station went to inspect Amuthasekaran Electropathy Medical College and Hospital and they found that the petitioner is running the said Electropathy Medical College without getting proper Government Recognition and the same was not registered under the Medical Council Act and the students are admitted with an intention to cheat them. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that without any valid permission, the petitioner is running a Medical College and the investigation is at initial stage.

5.Considering the seriousness and gravity of the offence as alleged and also the fact that the petitioner is in judicial custody from 17.03.2022 and that the investigation is at initial stage as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

12/04/2022

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/ /2022

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

vsd

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
UVARI POLICE STATION, TIRUNELVELI DISTRICT
- 2 THE OFFICER INCHARGE,
SUB JAIL, NANGUNERI, TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6780 of 2022

Date :12/04/2022

SS/JM/SAR:II/21.04.2022 : 2P/4C