



Crl.OP.No.8263 of 2023

Crl.O.P.No.8263 of 2023

S.SOUNTHAR, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 & 417 of IPC and 15(3) of Indian Medical Council Act, 1956 in Crime No.126 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 08.03.2023 at about 06.30 pm, the defacto complainant along with the respondent police went to the petitioner's clinic and found that the petitioner without having qualification in the Allopathic medicine and without holding valid degree in that discipline is treating the patients by giving allopathic medicine. Hence, this complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in the case. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) raised formal objection and opposed to grant anticipatory bail to the petitioner.

5. Having regard to the allegations made against the petitioner and considering the other facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate IV, Vellore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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:



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[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 daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

05.05.2023

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