



WEB COPY



Crl.O.P.No.11083 of 2023

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K.GOVINDARAJAN THILAKAVADI,J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417 & 420 of IPC and Section 15(3) Indian Medical Council Act, in Crime No.327 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has given treatment to the general public as if he is Allopathy Doctor without any valid licence. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely roped in this case. He would submit that the petitioner has completed Diploma in Community Medical Service and Essential Drugs Course. Therefore, the petitioner is qualified to use allopathic drugs and medicines and allowed to prescribe allopathy medicines. Therefore, the petitioner is authorized to keep medicines and medicinal drugs in his possession. The respondent police without conducting



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preliminary enquiry registered the case. Hence, he prayed for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the defacto complainant is an Assistant Doctor and as per instructions of higher official, he searched the petitioner's house and seized the injunctions and medicines and that the petitioner without proper qualification in medicine issued medicine to the public. He would further submit that the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned Counsel for the petitioner as well as the learned Additional Public Prosecutor and perused the materials available on record including the FIR.

6. Considering the above circumstances and taking note of the fact that the petitioner had committed a very serious and heinous offence, this Court is not inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, this Criminal Original Petition for anticipatory bail

is dismissed.

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