



Crl.OP.No.22104 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.22104 of 2023

Vijay S/o. Sankaran

...Petitioner

Vs.

State represented by,
The Inspector of Police,
Sholinghur Police Station,
Ranipet District.
(Crime No.246 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.246 of 2023 pending on the file of the respondent.

For Petitioner : Mr.G.P.Sivakumar

For Respondent : Mr.R. Kishore Kumar
Government Advocate (Criminal Side)



CrI.OP.No.22104 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.08.2023 for the offence punishable under Sections 15(3) of IMC Act and Sections 417 and 420 of IPC in Crime No.246 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the Chief Civil Surgeon of Government Hospital, Sholinghur, Ranipet District. The allegation against the petitioner is that he along with his wife were running an Allopathy Clinic and giving Allopathy treatment to the public. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.



Crl.OP.No.22104 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) stated that the defcto complainant is the Chief Civil Surgeon at Government Hospital, Sholinghur. The petitioner along with other accused were giving Allopathy treatment to the public. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 learned Judicial Magistrate, Sholinghur, and on further conditions that:

[a] 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



CrI.OP.No.22104 of 2023

Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioner shall not tamper with evidence or witness 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.

03.10.2023

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Crl.OP.No.22104 of 2023

C.V.KARTHIKEYAN. J.

ata/mps

To

1. The Judicial Magistrate, Sholinghur.
- 2.The Sub-Jail,
Arakonam.
- 3.The Public Prosecutor,
High Court of Madras.

Crl.OP.No.22104 of 2023

03.10.2023