



Crl.O.P.No.24141 of 2023

Crl.O.P.No.24141 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 417, 420 of IPC and Sections 15(3) and 17 of Indian Medical Council Act, 1956 in Crime No.290 of 2023, seeks anticipatory bail.

2.It is stated that the petitioner is the 2nd accused and the 1st accused had been arrested and released on bail. It is also stated that the accused persons without any medical qualification had been running a private clinic at Mittalam – Bairapalli Road, Ambur Taluk, Tirupathur District and the medicines have also been seized.

3.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner herein, **on condition that he must give an undertaking before the learned Judicial Magistrate, Ambur, that he will never ever practice Allopathy or any other medicine consequent to him not having any qualification at all. The learned Judicial Magistrate may also examine the petitioner about this aspect and may also record that statement.**



Crl.O.P.No.24141 of 2023

4. Accordingly, 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, Ambur, on condition that the petitioner shall 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 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 daily at 10.30 a.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



Crl.O.P.No.24141 of 2023

WEB COPY

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.

20.10.2023

smv



WEB COPY



Crl.O.P.No.24141 of 2023

C.V.KARTHIKEYAN, J.

smv

Crl.O.P.No.24141 of 2023

20.10.2023