

Crl.O.P.No.29363 of 2022**T.V.THAMILSELVI, J.**

The petitioner who apprehends arrest for the alleged offence under Section 420 IPC and Section 15 of Indian Medical Council Act in Cr.No.537 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has been illegally running a pharmacy without obtaining permission. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner shall file an affidavit of undertaking before the trial Court stating that she will not run Pharmacy. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) appearing for the respondent submits that the petitioner has been illegally running a pharmacy without obtaining licence. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and also submissions made by the learned counsel for the petitioner that the petitioner shall file an affidavit of undertaking before the trial Court stating that she will not run Pharmacy. Hence, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Sulur** on condition that the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty 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 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 Court concerned 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 on **every Tuesday at 10.30 a.m. for a period of three weeks and thereafter,**



as and when required for interrogation;

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(c) the petitioner shall file an affidavit of undertaking before the Trial Court stating that she will not run Pharmacy.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

12.01.2023

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To  
The District Judicial Magistrate,  
Sulur.



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