

Crl.O.P.No.32390 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehend arrest for the alleged offence under Sections 336, 420, 15(ii) B of IPC in Cr.No.718 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on receipt of information by a letter No.3971 of 2022/K/2022 dated 16.12.2022 an inspection was conducted at Kongu Clinic on 16.12.2022 and it was found that this petitioner is not registered a Medical Practitioner. However, he had been treating patients. Hence, the complaint came to be registered against this petitioner.

3.The learned counsel appearing for the petitioner would submit that this petitioner is a Doctor, practising Ayurvedic medicine and he has been having his practice and registered as Ayurvedic Doctor from 01.01.1995 and a Certificate has been issued by the Tamil Nadu Board of Indian Medicine, Madras. According to the petitioner, he has rendered yeomen service over a



decade and he is a reputed person in and around Sathyamangalam Town, Erode District. According to the learned counsel, the respondent police had been entertaining various complaints against Ayurvedic Doctors in Tamil Nadu and the case of the client is one such. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that on receipt of a complaint from the Deputy Director of Medical Services, Erode, an inspection was conducted and the alleged clinic was run by this petitioner and this petitioner being an Ayurvedic Doctor had been treating patients with Allopathy medicines and hence, the complaint came to be registered and investigation is on. He further submitted that there is one previous case pending as against the petitioner. Hence, he opposed to grant of anticipatory bail to the petitioner.

5. Considering the fact and circumstances, this Court is inclined to grant anticipatory bail to the petitioner.



6. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Sathyamangalam**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, 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 every Wednesday at 10.30 a.m. for a period of three months 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;



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(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]***; and;

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

03.01.2023

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