



CrI.OP.No.1076 of 2024

CrI.O.P.No.1076 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.491 of 2023 registered by the respondent police for the offences punishable under Sections 417 and 420 of IPC r/w Section 15(3) of Indian Medical Council Act, 1956 seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner, was a practising Allopathy medicines though he was not a Doctor. It is also stated that a BP apparatus and Stethoscope were seized from the petitioner. It is also stated that the petitioner was in possession of Diclophenac 3 ml syringes and also broken syringes. It is therefore contended by the respondent that the petitioner was using it on patients.

3. The learned counsel for the petitioner however denied all these facts and stated that the petitioner, was qualified as a Lab



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Technician and was running a blood testing centre called M/s.Vanitha Blood Testing Centre at Perungattur Village. He also filed an affidavit, in which he has stated as follows:

“ I submit that I swear that I will not treat the General Public with allopathy medicines nor indulge in practice allopathy medicine”.

4. Taking that particular undertaking into record, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. 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, Cheyyar, Tiruvannamalai District* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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



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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 file fresh affidavit on the same line at the time of executing sureties before the concerned Magistrate.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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



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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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

Vv

27.02.2024



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