



Crl.O.P.No.13201 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419 and 420 of IPC in Crime No.116 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Joint Director, Medical and Rural Health Services Department, Perambalur District. On 13.05.2024, based on a secret information, he along his team, was conducted inspection in the medical shop of the accused and during such search, it was found that the petitioner had given allopathy treatment to the patient, without prescribed qualification. Based on the complaint given by the defacto complainant, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he was running a medical shop and only provided medicines to the patient. He would further submit that he has been falsely implicated in this case. Hence, he prays for grant of



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anticipatory bail to the petitioner.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the complaint given by the Joint Director, Medical and Rural Health Services Department, Perambalur District, a search was conducted in the medical shop of the accused and during such search, it was found that the petitioner had given allopathy treatment to the patient, without prescribed qualification. He would further submit that there is one previous case of similar nature against the petitioner. He would also submit that the medical shop of the petitioner was closed and some of the medicines were recovered. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on



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anticipatory bail in the event of arrest or on his appearance before the

learned Judicial Magistrate, Veppanthattai, Perambalur District 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 is directed to report before the respondent police on every Saturday 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



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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.

19.06.2024

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