



Crl.OP.No.19763 of 2024

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P. DHANABAL, J.

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The petitioners / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 34 r/w. 53 of the National Medical Commission Act, 2019 and Section 27(b)(ii) of Drugs Cosmetics Act, 1949 of BNS, in Crime No.343 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found selling Slim Consummation Powder to the public without having valid license. Hence the complaint.

3. The learned counsel for the petitioners would contend that the petitioners are innocent and they have not involved in the offences as alleged by the prosecution and the respondent police had falsely implicated them in this case. He would further submit that the petitioners have license from FSSAI issued by the Government of Tamil Nadu in selling such products. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) for the



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respondent would submit that the petitioners were found selling Slim Consummation Powder to the public without proper license. He would further submit that there are no previous cases pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the nature of offence and considering the fact that there are no previous cases as against the petitioners and also considering that the petitioners are license holders, I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is **allowed** and the petitioners are ordered to be released on anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Krishnagiri**, on condition that the petitioners 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 learned



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Magistrate concerned and on further condition that:

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[a] the petitioners shall report before the respondent police on **every Saturday at 10.30 a.m. for a period of eight weeks.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners 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 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]***.



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[f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 B.N.S.2023.

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22.08.2024



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1. The Judicial Magistrate No.I, Krishnagiri
2. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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