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Crl.O.P.No.28721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28721 of 2024

Kokila
W/o.Kuppan

... Petitioner

Vs.

The State represented by
The Sub-Inspector of Police,
Kurisilapattu PS
Thirupathur District
(Crime No.376 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.376 of 2024 on the file of the respondent Police.

For Petitioners : Mr.N.Baaskaran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner,



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who was arrested and remanded to judicial custody on 22.10.2024, seeking bail in Crime No.376 of 2024 registered under Section Sections 318(2), 318(4) BNS r/w. Section 15(3) of IMC Act.

2.The case of the prosecution is that the petitioner was found practicing allopathic medicine without the requisite qualifications. Hence the case.

3.Learned Counsel appearing for the petitioner submitted that the the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that the petitioner is a housewife and a search was conducted at her house, during the search, she had medicines for her own use, whereas false complaint has been given against her. Hence, he prayed for grant of bail to the petitioner stating that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the grant of bail to the petitioner submitted that petitioner was found practicing allopathic medicine without the requisite



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qualifications. He further submitted that the petitioner has no previous cases pending against her.

5.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and considering the fact that the petitioner has no previous cases and period of incarceration undergone by her, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Thirupathur** and on further conditions that:

[a] 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;



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[b] the petitioner shall report before the respondent Police everyday at 10.30 am, for a period of two weeks, thereafter every Saturday at 10.30 a.m., for a period of four weeks, and thereafter as and when required;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

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To

1.The Judicial Magistrate No.II,
Thirupathur District

2.The Superintendent,
Vellore Central Prison (women)

3.The Sub-Inspector of Police,
Kurisilapattu PS
Thirupathur District

4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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