



CRL.OP.No.29534 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 125, 318 of BNS Act 2023 and r/w Section 3 of Indian Medical Council Act, 1956 and Section 34 of National Medical Commission Act, 2019 in Crime No.223 of 2024 on the file of the Inspector of Police, Veppanapalli Police Station, Krishnagiri District, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that on 18.11.2024 at about 12.00 p.m., the defacto complainant and along with his team members went to Aashika Clinical Center which is running at No.3/1017, Kuppam Bus stop, Veppanapalli. During unexpected visit in the said clinic, it was found that the petitioner is not a qualified Allopathy Doctor and she has given treatment to the patients. Hence the case.

3.Learned counsel appearing for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He



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would submit that she has nothing to do with the offence as alleged by the prosecution. He would further submit that the petitioner is working as a staff in Aashika Clinical Center which is run by Doctor V.Chandra Mouli and the petitioner has not given any treatment to the public. Hence, he seeks anticipatory bail.

4.Learned Governed Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner is not a qualified Allopathy Doctor and has given treatment to the patients in Aashika Clinical Center. He would further submit that there is no previous case against the petitioner.

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

6.Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.2, Krishnagiri**, on condition that the petitioner shall execute a separate 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 shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter, 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 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 269 of B.N.S.

26.11.2024

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