



WEB COPY



Crl.O.P.No.30871 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

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

Crl.O.P.No. 30871 of 2024

Mathammal

... Petitioner

Vs.

State, Rep. by
The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.319 of 2024 pending investigation on the file of the respondent.

For Petitioner : Mr.E. Kannadasan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

Petition seeking bail in respect of Crime No. 319 of 2024 registered for the offences punishable under Sections 125, 318(1) of BNS, 2023 and Section 3 of Indian Medical Council Act, 1956 and Section 34 of National Medical Commission Act, 2019 is on board for consideration.

2.The incarceration of the petitioner being from 26.11.2024 pleading



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innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution as putforth by the learned Additional Public Prosecutor appearing for the respondent police, opposing for grant of bail, is that the petitioner, without having required qualification to practice as an Allopathic Doctor, is said to have run a clinic and providing treatment to public. He further submits that there is no previous cases against the petitioner.

4.Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his 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.I, Krishnagiri, 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



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ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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A.D.JAGADISH CHANDIRA., J.

sai

To

1. The Judicial Magistrate No.1,
Krishnagiri.
2. The Inspector of Police,
Bargur Police Station,
Krishnagiri District.
3. The Superintendent,
Special Prison for Women, Salem.
4. The Public Prosecutor,
High Court of Madras.

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