



CRL OP(MD). No.17324 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

The Hon`ble Mr.Justice K.RAJASEKAR

CRL OP(MD). No.17324 of 2024

Inba,

... Petitioner/ Accused No. 2

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Thideer Nagar Police Station,
Madurai City
(Crime No.356 of 2024)

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.356 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 319(2) and 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 15(3) of the Indian Medical Council Act, 1956 in Crime No.356 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is arrayed as Accused No.2 in this case, permitted the Accused No.1 to run a hospital in her premises, since the petitioner knew that the Accused No.1 is a bogus doctor. Hence, the case.

3. The learned counsel for the petitioner submitted that since the petitioner is the land lady, she was not aware about the nature of therapy followed by the Accused No.1, and she has been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) submitted that the Accused No.1 is still absconding, and the petitioner is the 2nd Accused in this case, and the Accused No.3 died.

5. Considering the nature of the allegations, this Court is inclined to enlarge the petitioner on anticipatory bail.

6. Accordingly, the petitioner is ordered to be released on bail in the event of

her arrest or on her appearance, within a period of fifteen days from the date of

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receipt of a copy of this order, before the Judicial Magistrate No.V, Madurai on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the interrogation.

(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]; and;



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(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/10/2024

/ TRUE COPY /

/ 10 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1 THE JUDICIAL MAGISTRATE
NO.V, MADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
THIDEER NAGAR POLICE STATION,
MADURAI CITY

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.17324 of 2024
Date :09/10/2024

PSP/ VR /SAR /23.10.2024/ 4P/ 5C

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