



CRL OP(MD). No.22061 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22061 of 2024

Ajmathulla

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Ilyangudi Police Station,
Sivagangai District.
(Crime No.355 of 2024)

... Respondent / Complainant

For Petitioner : Mr.M.S.Jeyakarthik,
Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor
(Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.355 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 20.11.2024 for the alleged offences under Sections 318(4) of BNS and Section 15(3) of IMC Act, in Crime No.355 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, who is neither a pharmacist nor a doctor, was running a clinic where he was administering medicines and injection to sick patients. On a surprise check made by the medical officer, this fact came to light. All the medicines and injection needles were seized and the place where the petitioner was running the clinic was also put on lock and seal.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is in judicial custody from 20.11.2024 and the entire medicines have been seized and the property belonging to the petitioner was also kept under lock and key, this Court is inclined to grant bail to the petitioner



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subject to the following conditions:

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5. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 learned Judicial Magistrate Court, Ilayangudi, 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall file an undertaking affidavit before the learned Judicial Magistrate, Ilayangudi that he will not deal with any medicines or give treatment to any person henceforth. The undertaking affidavit shall be kept on file by the learned Judicial Magistrate.



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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
13/12/2024

/ TRUE COPY /

13/12/2024
Sub-Assistant Registrar (VIGILANCE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal



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W/TO COPY

- 1.THE JUDICIAL MAGISTRATE,
ILAYANGUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
- 3.THE OFFICER-IN-CHARGE,
DISTRICT JAIL,
SIVAGANGAI
- 4.THE INSPECTOR OF POLICE,
ILYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-15396[I] dated 13/12/2024)

ORDER
IN
CRL OP(MD) No.22061 of 2024
Date :13/12/2024

RK (13/12/2024) 5P / 7C

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