



Crl.O.P.No.3200 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3200 of 2025
and Crl.M.P.No.2123 of 2025

Poojika

... Petitioner

Vs

The State represented by its;

1. The Inspector of Police,
Central Crime Branch-I,
Chennai, Chennai District.
(Crime No.122 of 2024)

2. Kamaraja V.DR.

The Registrar,
Tamil Nadu Medical Council,
No.959 and 960, Poonamallee High Road,
Muthu Kumaran Nagar,
Purasaiwakkam,
Chennai – 600084.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/ 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Crime No.122 of 2024 on the file of Inspector of Police, CCB-I, Chennai, Chennai District to quash the same.

For Petitioner : Mr.R.Paramasivam

For Respondents : Mr.R.Vinothraja

Government Advocate (Crl.side)



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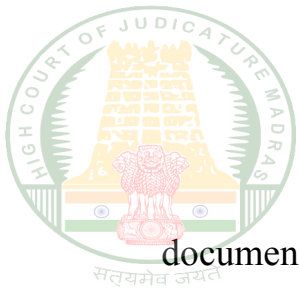
ORDER

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This Criminal Original Petition has been filed to quash the entire proceedings in Crime No.122 of 2024 on the file of Inspector of Police, CCB-I, Chennai, Chennai District.

2. Heard the learned counsel appearing on either side and perused the materials placed on record.

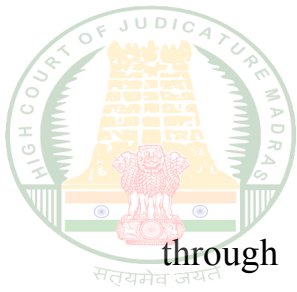
3. On the complaint lodged by the second respondent, the first respondent registered FIR in Crime No.122 of 2024 alleging that the Tamil Nadu Medical Council is a statutory body which caters to the registrations and regulating body for registered medical practitioners practicing or completing their medical education in the state of Tamil Nadu, Pondicherry and Andaman and Nicobar Islands. The petitioner herein applied through online on 02.10.2023, for a provisional eligibility certificate from Tamil Nadu Medical Council and submitted an MBBS completion certificate from the University of Perpetual Help System Dalta, Philippines. On verification, the Council sent an email to the Embassy of India, Manila, to confirm authenticity of the certificates. On receipt of the reply, it was confirmed that the Apostille



document is spurious/fake one. Therefore, the first respondent registered FIR in Crime No.122 of 2024 for the offences punishable under Sections 417, 465, 468, 471 of IPC.

4. The petitioner completed her schooling in Madurai and despite securing good marks, could not afford a management seat. However, she managed to join under the management quota. Thereafter, she applied for medical seat in abroad and she was selected by the University of Perpetual Help System, Laspinas campus, Alabung Zapote Road, Pamplona tres, Laspinas City, Metro Manila, Philippines, for the academic year 2015.

5. Pursuant to her selection, she was also issued with eligibility certificate for admission to an undergraduate medical course at a foreign medical institution. After completion of her graduation, the petitioner had applied for National Board of Examination in Medical Sciences under the Ministry of Health and Family Welfare, Government of India. In the meanwhile, the petitioner also applied for screening test for Foreign Medical graduates which is required to practice medicine in India. She had successfully cleared the National Board examination. Thereafter, the petitioner had applied



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through on-line to the Tamil Nadu Medical Council for registration, on payment of requisite fees. She had also uploaded her educational certificates with Apostille consisting of on-line verified image screenshot.

6. However, the petitioner had received a mail to re-submit all the certificates. Once again, the petitioner had uploaded her screened copy of physical Apostille certificate and other documents on the web portal of Tamil Nadu Medical Council. Thereafter, she was instructed to appear before the Tamil Nadu Medical Council along with relevant educational documents for certificate verification. On verification, it was found that the second respondent orally informed that the apostille is fake one.

7. The learned Government Advocate (crl.side) appearing for the first respondent submitted that after registration of FIR, during investigation, it was found that the petitioner had undergone medical course at Philippines and the certificate produced by the petitioner Apostille is also a genuine one.



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8. In view of the above, merely keeping the FIR in Crime No.122 of 2024 pending would not serve any purpose. In order to meet the ends of justice, the impugned FIR cannot be sustained and is liable to be quashed. Accordingly, the FIR in Crime No.122 of 2024, on the file of the first respondent is hereby quashed.

9. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected Miscellaneous petition is closed.

07.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Inspector of Police,
Central Crime Branch-I,
Chennai, Chennai District.
2. The Public Prosecutor,
High Court, Madras.

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