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CRL O.P. No.8733 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.8733 of 2025

Brindabon Kumar Ray S/o. Ajithkumar Ray ... Petitioner / Accused-1

Vs

State rep. by:-

The Inspector of Police,
Sholinghur Police Station,
Ranipet District.

... Respondent

[Cr. No.323 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

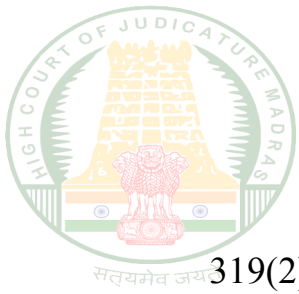
Cr. No.323 of 2024 on the file of the respondent police.

For Petitioner : Mr.G.P. Sivakumar

For Respondent : Mr. S. Santhosh,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the offence punishable under Section 318(4) and



CRL O.P. No.8733 of 2025

319(2) of B.N.S. and Section 15(3) of Indian Medical Council Act 1956

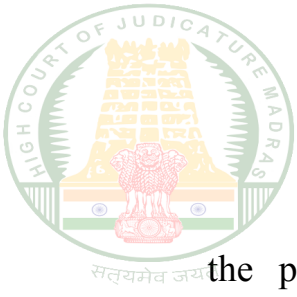
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in connection with the case in Cr. No.323 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was running a Para Medical Science Clinic and was prescribing Allopathic medicines without the requisite qualification.

3. The learned counsel for the petitioner would contend that the allegations against the petitioner are false; that the co-accused were arrested and released on bail; that there is no complaint from the general public; that the complaint was given by one Mr. K. Karunakaran, Civil Surgeon, Government Hospital, Sholinghur, Ranipet District; and that in any case, custodial interrogation of the petitioner is not required and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to



CRL O.P. No.8733 of 2025

WEB COPY

the petitioner, reiterated the prosecution case and on instructions, confirmed that A2 was arrested and released on bail.

5. Considering the aforesaid facts, nature of allegations, the fact that co-accused was arrested and released on bail, the clinic of the petitioner has now been closed and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Sholinghur** on condition that the petitioner shall execute 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for



CRL O.P. No.8733 of 2025

WEB COPY

anticipatory bail shall stand dismissed 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 everyday 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]; and

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.



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CRL O.P. No.8733 of 2025

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To

- 1.The Judicial Magistrate, Sholinghur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Sholinghur Police Station, Ranipet District.

SUNDER MOHAN. J.,

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CRL O.P. No.8733 of 2025

CRL O.P. No.8733 of 2025

01.04.2025