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CRL O.P. No.10531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.10531 of 2025

Ismail S/o. P.L. Veera Kunjhi ... Petitioner / Accused-1

Vs

State rep. by:-

The Inspector of Police,
Pudumand Police Station,
Nilgiris District. ... Respondent
[Cr. No.22 of 2025]

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.22 of 2025 on the file of the respondent police.

For Petitioner : Mr. Mohamed Saifulla

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 Sections 15(3) of



CRL O.P. No.10531 of 2025

Indian Medical Council Act, Sections 318(4) and 319(2) of B.N.S. and Section 66D of Information Technology Act in connection with the case in Cr. No.22 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that without proper license and practice, the petitioner was prescribing Allopathy medicines and thus, committed the aforesaid offences. It is the further case of the prosecution that the complaint was lodged by the Chief Medical Officer, Government Hospital, Emerald.

3. The learned counsel for the petitioner would contend that the allegations against the petitioner are false; that he is a Siddha Doctor with proper license; that there is no complaint against the petitioner from the general public; that the petitioner's clinic has now been sealed; and considering the nature of allegations and in any case, since custodial interrogation is not required, prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case.



CRL O.P. No.10531 of 2025

WEB COPY

5. Considering the aforesaid facts, nature of allegations which are borne out by records, the fact that the petitioner's clinic has now been sealed 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, Udhagamandalam** 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 anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and



CRL O.P. No.10531 of 2025

WEB COPY

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 every day 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;

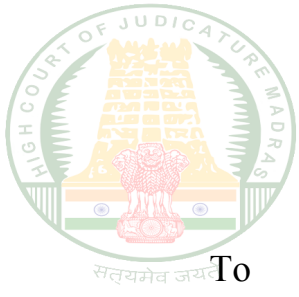
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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.

08.04.2025

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4/6



CRL O.P. No.10531 of 2025

To
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- 1.The Judicial Magistrate, Udhagamandalam.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Pudumand Police Station, Nilgiris District.

SUNDER MOHAN. J.,

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CRL O.P. No.10531 of 2025



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CRL O.P. No.10531 of 2025

08.04.2025