



CrI.O.P.No.17216 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17216 of 2025

Shenbagavalli

... Petitioner

Vs

State rep by
The Inspector of Police,
Omerabad Police Station,
Thirupathur District,
(Crime No.199 of 2025).

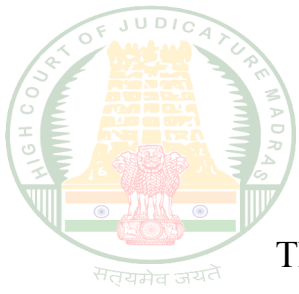
... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on
anticipatory bail in the event of her arrest pending investigation in Crime
No.199 of 2025 on the file of the respondent.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER



CrI.O.P.No.17216 of 2025

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 319(2), 318(4) of BNS 2023 r/w Section 15(3) and 17 of Indian Medical Council Act in Crime No.199 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was prescribing allopathy medicine without any qualification on allopathy medicine. Hence, the complaint.

3.The learned counsel for petitioner submits that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the District Medical Officer, Thirupathur on specific information visited the clinic run by the petitioner and conducted inspection and during inspection, it came to light that the petitioner was prescribing allopathy medicine without any qualification on allopathy medicine.



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6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.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, Ambur 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b]The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[c]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



CrI.O.P.No.17216 of 2025

interrogation;

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[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make themselves available for interrogation by a Police officer as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[g] the petitioner shall not abscond either during investigation or trial;

[h] 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 petitioners 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];

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

27.06.2025

vv2

To

1.The Judicial Magistrate,
Ambur.



CrI.O.P.No.17216 of 2025

2.The Inspector of Police,
Omerabad Police Station,
Thirupathur District.

3.The Public Prosecutor,
Madras High Court.



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Crl.O.P.No.17216 of 2025

M.NIRMAL KUMAR, J.

vv2

Crl.O.P.No.17216 of 2025

27.06.2025