



CRL OP(MD) No.3943 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.3943 of 2025

Prince.S

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
Crime No.423/2024

... Respondent/Complainant

For Petitioner : Mr.A.Balaji, Advocate

For Respondent : Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.423 of 2024 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 27.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/Sole Accused was arrested and remanded to judicial custody



CRL OP(MD) No.3943 of 2025

on 08.02.2025 for the offences punishable under Section 15(3) of Indian Medical Council Act, 1956 and Section 105 of BNS, 2023, in Crime No.423 of 2024 on the file of the respondent-Police.

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3. The case of the prosecution is that based on the complaint filed by the defacto complainant, Dr.Aravind Krishnan, who is working as a Medical Officer at the Government Health Care Centre, Mannavanur, Kodaikanal, the petitioner was arrested and remanded to judicial custody on 08.02.2025. The allegation against the petitioner is that on 20.11.2024, when the deceased was suffering from severe stomach pain, she received first aid treatment from the petitioner, who runs a pharmacy under the name "Sara Pharmacy" in the Kavunji locality. It is alleged that the petitioner administered an IV injection of Troxone (1000 mg Ceftriaxone) to the deceased as part of the first aid treatment. Subsequently, the deceased was brought to the Government Primary Health Care Centre, Mannavanur. However, no doctors were available at the said Health Centre. On the advice of the duty nurses, she was later taken to the Government Hospital, Kodaikanal. At around 10:00 p.m., the doctors declared her brought dead. Hence, the case.

4. Mr.A.Balaji, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that a false case has been foisted against this petitioner. He further submits that he is ready to



CRL OP(MD) No.3943 of 2025

WEB COPY

abide by any conditions to be imposed by this Court. He further submits that the petitioner has been in incarceration since 08.02.2025. He further submits that since the petitioner has deep roots in the society, he will not abscond in the future. Therefore, he prays for granting bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there are no previous cases against the petitioner. He further submits that if bail is granted to the petitioner, he will commit the similar offence again and cause threat to the family members of the deceased and witnesses. He further submits that the petitioner is the owner of the pharmacy. Therefore, he vehemently opposes to grant bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and also considering the period of incarceration and considering the fact that the petitioner is a first offender and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of bail to the petitioner, however, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five



CRL OP(MD) No.3943 of 2025

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Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, Kodaikanal;

(ii) 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 Judicial Magistrate No.II, Kodaikanal shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Kodaikanal;

(vii) The petitioner shall not directly or indirectly cause any threat to the defacto complainant, the family members of the deceased and witnesses and shall not tamper



CRL OP(MD) No.3943 of 2025

with the evidence;

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(viii) The petitioner shall not enter into the residence and work place of the defacto complainant;

(ix) The petitioner shall appear and sign before the respondent-Police daily at 10.30 a.m., until further orders; and

(x) On breach of any of the aforementioned conditions, learned Judicial Magistrate No.II, Kodaikanal is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
03/03/2025

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03/03/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.II, KODAIKANAL

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.



CRL OP(MD) No.3943 of 2025

3 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.

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4 THE INSPECTOR OF POLICE, KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.BALAJI, Advocate (SR-2318[I] dated 03/03/2025)

ORDER

IN

CRL OP(MD) No.3943 of 2025

Date :03/03/2025

RS/IT/SAR-(03.03.2025) 6P 7C

Madurai Bench of Madras High Court is issuing
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