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CRL OP No. 5445 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5445 of 2026

Fouzia

..Petitioner

Vs

The State Rep. by
The Inspector of Police
K-4, Anna Nagar Police Station,
Chennai.
Crime No. 115/2026.

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner/accused herein on bail in Crime No. 115/2026 on the file of the Respondent/Complainant i.e. on the file of the Inspector of Police, K-4, Anna Nagar Police Station, Chennai.

For Petitioner:

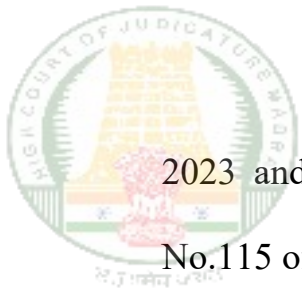
Mr.S.Kartik

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.02.2026 for the alleged offence under Sections 125, 272, 318(3), 336(2) of Bharatiya Nyaya Sanhita 2023 and Section 15 of Indian Medical Council Act, 1956 @ 125, 272, 318(3), 336(2), 123, 61(2) of the Bharatiya Nyaya Sanhita,



2023 and Section 15(3) of the Indian Medical Council Act, 1956 in Crime No.115 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that hair transplant procedures were being conducted by persons without requisite license and medical qualifications in the clinic functioning in the name and style of “Mister Hair Clinic”. Based on the said allegations, the case was registered by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner is the Manager of the said “Mister Hair Clinic” which conducts hair transplantation procedures. He further submitted that the petitioner has been in judicial custody since 13.02.2026 and she has not done any hair transplantation procedures herself, being responsible only for administrative duties.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case however, submitted that there is no previous case against the petitioner. However, he vehemently opposed to grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



6. In such view of the position, more specifically taking into consideration that the petitioner being woman and she was only performing administrative duty, this Court is inclined to enlarge the petitioner on bail with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Metropolitan Magistrate No.V, Egmore, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] 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 interrogation;

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with



law as if the aforementioned 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)13 SCC 283]**;

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

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SHL

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Metropolitan Magistrate No.V,
Egmore, Chennai.
2. The Inspector of Police
K-4, Anna Nagar Police Station,
Chennai.
3. The Central Prison for Women,
Chennai.
4. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN J.

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