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CRL OP No. 5647 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5647 of 2026

Latha @ Premalatha

..Petitioner

Vs

State Rep.by.The Inspector of Police,
Bagayam Police Station,
Vellore District.
Cr.No.50/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.50/2026 pending investigation on the file of the respondent.

For Petitioner:

Mr.E.Kannadasan

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.02.2026 for the alleged offences under Sections 125, 319(2), 318(4) of Bhartiya Nyaya Sanhita (BNS) 2023 r/w. Sections 15 & 15(3) of Indian Medical Council Act, 1956 in Crime No.50 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 17.02.2026, the defacto complainant received information through online, on the direction of Thiru. Vaithiyalingam, Panchayat Audit Department, Vellore Corporation. Based on the said information, the defacto complainant along with his team went to the house of the petitioner and found some Allopathic medicines and medical equipment in front of her house. On enquiry, the petitioner informed them that she had completed B.Sc. Nursing and that she used to give first aid to persons who come to her house. However, she did not produce any certificate to show that she had completed the said course. Therefore, the defacto complainant and his team took her to the respondent police station and lodged a complaint alleging that she was giving treatment under allopathic medicine without proper qualification.

3. The learned counsel appearing for the petitioner submitted that the petitioner had completed B.Sc. Nursing and prior to the registration of the case she had been working as a Nurse in a private hospital at Vellore for the past 10 years. During the course of her employment, some misunderstanding arose between the petitioner and the Doctor of the hospital and therefore she left the job. It is further submitted that due to the said misunderstanding, on the instigation of the Doctor, the defacto complainant has foisted a false complaint against the petitioner as if she was giving treatment to the public under allopathic medicine without qualification and that there is no previous criminal



case pending against the petitioner. Hence, he prayed for grant of bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the allegation against the petitioner is that she pretended as if she was a doctor and gave treatment to patients without possessing any recognized medical qualification or license. Hence, he opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submissions of the learned counsel on either side, it is seen that there is no previous criminal antecedent as against the petitioner. Further, the petitioner is a woman. Considering the above circumstances, this Court is inclined to show some leniency towards the petitioner. Accordingly, the petitioner is enlarged on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the ***learned Judicial Magistrate No.I, Vellore***, and subject to the following conditions:



[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 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;

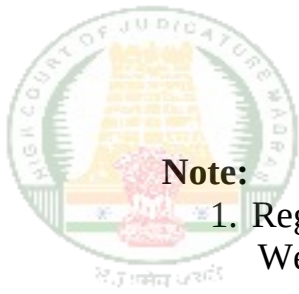
[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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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 Judicial Magistrate-I, Vellore.
2. The Special Prison for Women, Vellore
3. The Inspector of Police, Bagayam Police Station, Vellore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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