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CRL OP No. 9185 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 9185 of 2026

Thanigaivel

..Petitioner(s)

Vs

The State Represented by,
Station House Officer
Chidambaram Town Police Station,
Cuddalore District.
Crime No.147 of 2025

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in the event of arrest, in Crime No.147 of 2025 on the file of respondent police.

For Petitioner(s): Mr.Ragul Kousik

For Respondent(s): Mr.P.Dhileepan
Government Advocate
(Criminal Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under Section 318(4) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 15(3) of the Indian Medical Council Act, 1956, in Crime No. 147 of 2025 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner is an acupuncture practitioner running a clinic in Chidambaram. It is alleged that the petitioner prescribed allopathic medicines to his patients despite lacking the requisite qualifications to practice allopathy. Hence, the registration of the present case.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged and has been falsely implicated in this case. It is further submitted that the petitioner strictly adheres to his scope of practice and that the allegations are baseless. Therefore, he prayed for the grant of anticipatory bail.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution's case and submitted that the petitioner is qualified only as an acupuncture therapist. He argued that the act of prescribing allopathic medicines is a clear violation of the statutory provisions governing medical practice and, given the nature of the allegations, strongly opposed the grant of anticipatory bail.

5. Considering the nature of the allegations, the fact that the petitioner has no prior criminal record, and taking note of the fact that the dispute involves the alleged unauthorized prescription of allopathic medicines, which is



primarily a matter of documentary evidence and clinical records, this Court is of the view that custodial interrogation is not required for the purpose of investigation. Consequently, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy is made ready, before the learned Judicial Magistrate II, Chidambaram, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner(s) fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) The petitioner(s) shall report before the respondent



police daily at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(f) If the petitioner(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

15-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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- 1.The Judicial Magistrate II, Chidambaram.
- 2.The Station House Officer, Chidambaram Town Police Station, Cuddalore District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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