



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.03.2015

CORAM:
THE HONOURABLE MR.JUSTICE C.T.SELVAM

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CRL.O.P.No.5442 of 2015
and
M.P.(MD)Nos.1 and 2 of 2015

1. M/S.QUIXOTIC HEALTH CARE,
88A, EPIP, PHASE-II, THANA, BADDI,
DISTRICT SOLAN-173205,
HIMACHAL PRADESH, REP BY
ITS GENERAL MANAGER/AUTHORIZED
SIGNATORY S.K.PANDA
SON OF MADHUSUDAN PANDA.
2. S.K.PANDA
3. SATHISH SINGAL
4. SANJEEV SINGAL
5. HARPREET SINGH
6. MRS.HIMJYOTI DHIR

.. Petitioners/A1 TO 6

Vs.

STATE OF TAMILNADU
REP. BY DRUGS INSPECTOR,
ALANGUDI RANGE,
OFFICE OF THE DRUGS INSPECTOR,
1093, KANNADASAN SALAI,
RAJAGOBALAPURAM POST,
PUDUKKOTTAI- 622 003.

.. Respondents/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the record in S.T.C. No.419 of 2014 on the
file of Judicial Magistrate, Pudukottai and quash the same.

For Petitioner : Mr.C.Muthusaravanan



O R D E R

The petitioner/accused in case pending trial in S.T.C.No.419 of 2014 face offences under Section 18(a)(i) p/u 27(d) of the The Drugs and Cosmetics Act 1940.

2. The allegation is that medicines/drugs by name Ascozen Expectorant which was manufactured by the first petitioner company was found to be not of standard quality. The seizer of the drug was made on 20.09.2011.

3. Admittedly, the report of the drugs testing laboratory, Government of Tamil Nadu informs the manufacturing date as January 2011 and expiry date as December 2012. While so, the complaint has been filed on 08.04.2014. Therefore, since the self life of the said medicine/drug was only upto December 2012, opportunity of having the second sample tested in keeping with Section 25(4) of The Drugs and Cosmetics Act, 1940 stands denied to the petitioners.

4. For the said reason, the Criminal Original Petition stands allowed and the proceedings in S.T.C. No.419 of 2014 on the file of Judicial Magistrate, Pudukottai is quashed. Consequently, connected Miscellaneous Petitions are closed.

Sd

ASST REGISTRAR (P AND A)

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SUB ASST REGISTRAR

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To

1. THE JUDICIAL MAGISTRATE PUDUKKOTTAI.

2. DRUGS INSPECTOR,
ALANGUDI RANGE,
OFFICE OF THE DRUGS INSPECTOR,
1093, KANNADASAN SALAI,
RAJAGOBALAPURAM POST,
PUDUKKOTTAI- 622 003.

3. The Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

1CC TO MR. C. MUTHU SARAVANAN, ADDVOCATE, SR: 15262
DM 22 6 15