

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CRIMINAL PETITION NO.7113 OF 2011

ORDER:

This Criminal Petition is filed under Section 482 of the Criminal Procedure Code to quash the proceedings in C.C.No.220 of 2008 on the file of the Court of I Additional Munsif Magistrate, Narasaraopet, Guntur District, registered for the offences punishable under Sections 18(a)(i) read with Section 17(b) read with Section 96(v)(vii) of the Drugs and Cosmetics Act, 1940 (for short, the Act).

2. It is the case of the respondents that on 07.08.2007, the Drug Inspector, Narasaraopet inspected Ranjith Medical and Surgicals, Narasaraopet and found certain DNS injection bottles of 500 ml manufactured by the petitioners were not having proper information on the labels. The Drug Inspector seized the stock and issued a notice dated 16.08.2007 to the petitioners under Sections 18(b) and 22(i) (cca) of the Act.

3. Petitioner No.2 is the company and petitioner No.1 is Managing Director of petitioner No.2. It is the case of the petitioners that in the transit from the manufacturing unit at Indoor to Narasaraopet, which is about 1500 kilometers, there is likelihood of displacement of the labels and also the information being printed on the labels and that they have not committed any offence.

4. Heard both sides.

5. Specific allegations were made against the petitioners in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during the course of investigation or trial. I see no grounds to interdict the investigation at this stage and quash the First Information Report.

6. In the facts and circumstances of the case, the Criminal Petition is dismissed, directing the Court below to proceed with the trial, however, without insisting for the presence of petitioner No.1/Accused No.1 for each and every adjournment, unless it feels that his physical presence is necessary for any specific purpose. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 13-10-2017
TJMR

T.AMARNATH GOUD, J

