

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.10020 of 2014

1.M/s.Teen Pharmaceuticals,
Rep. by its Managing Partner,
T.Namasivayam,
S/o.D.Thandavarajan,
Old No.6, New No.17,
Muralikrishna Nagar,
Valasaravakkam, Chennai - 600 087.

2.T.Namasivayam ...Petitioners/Accused 1 & 2

-Vs-

Tamil Nadu State Represented by
K.Sundarasamy, M.Pharm,
Senior Drugs Inspector,
Salem Zone,
Salem.

... Respondent/Complainant

Prayer: Criminal Original petition filed under Section 407 of the Code of Criminal Procedure, to withdraw and transfer the C.C.No.577 of 2005 on the file of the Judicial Magistrate, Krishnagiri, for trial to the learned IV Metropolitan Magistrate, Saidapet, Chennai.

For Petitioners: M/s.C.Uma

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for transfer of the case in C.C.No.577 of 2005 pending on the file of the learned Judicial Magistrate, Krishnagiri.

2.The petitioners are facing trial before the Court below for an offence under Section 18(a) (i) and 18B r/w Section 32 of the Drugs and Cosmetics Act, 1940. The complaint has been filed in the year 2005. This petition has been filed in the

year 2014 and it has come up for hearing in the year 2018. In spite of the fact that there is no order of stay granted by this Court, the Court below has not proceeded further in the complaint.

3. This petition seeking for transfer has been filed mainly on the ground that many other complaints of the same nature has been transferred to the Saidapet Court and this complaint must also be transferred to the Metropolitan Magistrate Court, Saidapet, Chennai.

4. The ground taken by the petitioner is unsustainable. The convenience of the petitioner is not a ground to transfer. Admittedly, in this case, the offence is get to have been taken place at Krishnagiri and therefore there is no ground to transfer the case to the IV Metropolitan Magistrate, Saidapet, Chennai.

5. This Criminal Original Petition is disposed of with a direction to the Judicial Magistrate, Krishnagiri to dispose of C.C.No.577 of 2005, within a period of three months from the date of receipt of copy of this order.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsa/LPP

To

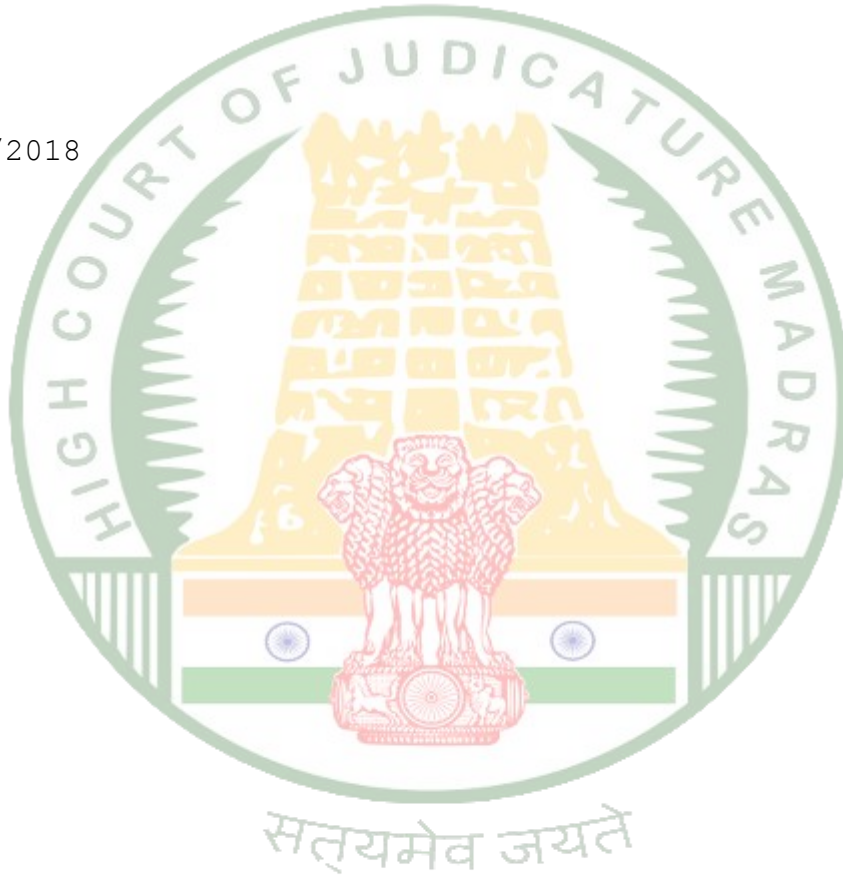
1. The IV Metropolitan Magistrate,
Saidapet, Chennai.
2. -Do- Thro' The Chief Metropolitan Magistrate,
Chennai.
3. The Judicial Magistrate,
Krishnagiri.
4. -Do- Thro The Chief Judicial Magistrate,
Salem.

5.The Senior Drugs Inspector,
Salem Zone,
Salem.

6.The Public Prosecutor,
High Court, Madras.

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