

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.19360 & 19361 of 2014
and
Crl.M.P.Nos.1 & 1 of 2014

1. M/s.Panacea Biotec Ltd.,
A-241, Okhla Industrial Area-1,
New Delhi 110 020,
Represented by its Managing Director,
Mr.Ravinder Jain.
2. Ravinder Jain, Managing Director,
M/s.Panacea Biotec Ltd.,
A-241, Okhla Industrial Area-1,
New Delhi 110 020.
3. M.S.Rahman,
Senior General Manager-Quality Assurance,
M/s.Panacea Biotec Ltd.,
A-241, Okhla Industrial Area-1,
New Delhi 110 020.
4. Deepak Rastogi,
Senior General Manager-Regulatory Affairs,
M/s.Panacea Biotec Ltd.,
A-241, Okhla Industrial Area-1,
New Delhi 110 020.
5. M/s.Panacea Biotec Ltd.-Delhi (CHW),
Mj 1, Block A & b, J.R.Complex,
No.2, H.C.M.R, Farm House,
Khasra No.11/1, Village Mandoli,
New Delhi 110 093.
6. Mr.Ravinder Jain, Managing Director,
M/s.Panacea Biotec Ltd.-Delhi (CHW),
Mj 1, Block A & b, J.R.Complex,
No.2, H.C.M.R, Farm House,
Khasra No.11/1, Village Mandoli,
New Delhi 110 093.

... Petitioners in Crl.O.P.No.19360 of 2014/
Accused 1 to 6

1. M/s.Panacea Biotec Ltd.,
Ground floor "B" Wing, No.10/4,
Arulayammanpet II Street,
Guindy, Chennai-32,
Represented by its Authorized Representative,
Mr.Bala Krishna Prabhu.

2. M.Rathna Kumar,
Power of Attorney,
M/s.Panacea Biotec Ltd.,
Ground floor "B" Wing, No.10/4,
Arulayammanpet II Street,
Guindy, Chennai-32.

3. Balan, Person in Charge,
M/s.Panacea Biotec Ltd.,
Ground floor "B" Wing, No.10/4,
Arulayammanpet II Street,
Guindy, Chennai-32.

... Petitioners in Crl.O.P.No.19361 of 2014/
Accused 7 to 9

Vs.

The State of Tamil Nadu represented by,
P.Nithin Kumar,
Drugs Inspector,
Saidapet Range i/c,
O/o, The Assistant Director of Drugs Control,
Zone III, DMS Campus, No.259-261,
Annasalai, Teynampet,
Chennai-600 006.

... Respondent in both Crl.O.Ps/Complainant

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C., to call for the records in C.C.No.6686 of 2013 pending on the file of the IV Metropolitan Magistrate, Saidapet, Chennai and quash the same as against the petitioners herein.

In both Crl.O.Ps

For Petitioners :M/s.Ravi Kumar Paul, Senior Counsel
for M/s.AAV Partners

For Respondent :M/s.V.Saradha Devi,
Government Advocate

COMMON ORDER

Criminal Original Petition have been filed seeking to quash the proceedings in C.C.No.6686 of 2013, pending on the file of the VI Metropolitan Magistrate Court, Saidapet.

2.The learned counsel appearing for the petitioners would submit there is no specific provision or rule laid under the Drugs and Cosmetics Act as to manner in which relabelling should be done in the case of extension of shelf life period from 24 months to 36 months of any drug.

3.The learned counsel for the petitioners would further submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and complete the same as early as possible. He would further submit that the appearance of the petitioners before the Trial Court may be dispensed with and would further submit that the petitioners are ready to appear as and when necessary arise.

4.The learned counsel for the respondent concede to the request made by the learned counsel for the petitioners.

5.In view of the above, this Court directs the learned VI Metropolitan Magistrate, Saidapet to expedite the trial in C.C.No.6686 of 2013 and complete the same within a period of three months from the date of receipt of a copy of this order. The appearance of the petitioners before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioners for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

6.With the above directions, these Criminal Original Petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar(CS-III)

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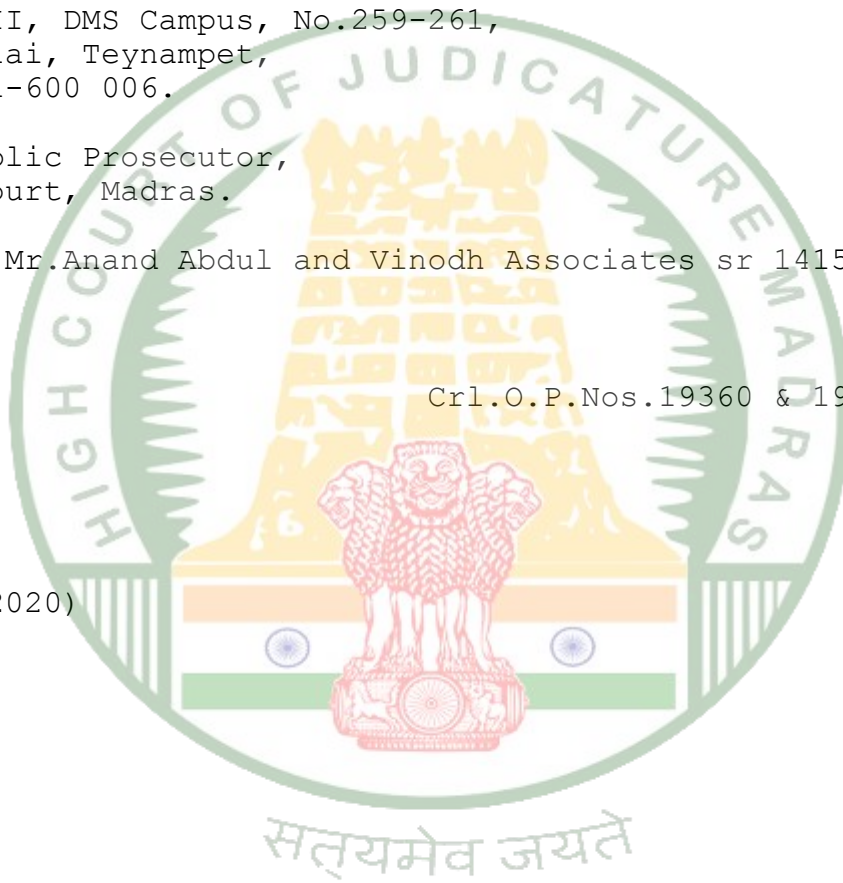
Sub-Assistant Registrar

vv2
To

1. The VI Metropolitan Magistrate Court,
Saidapet,
Chennai.
 2. The Drugs Inspector,
Saidapet Range i/c,
O/o, The Assistant Director of Drugs Control,
Zone III, DMS Campus, No.259-261,
Annasalai, Teynampet,
Chennai-600 006.
 3. The Public Prosecutor,
High Court, Madras.
- +2 Ccs to Mr.Anand Abdul and Vinodh Associates sr 14155.

CrI.O.P.Nos.19360 & 19361 of 2014

SR(CO)
SP(04/03/2020)



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