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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.21883 & 21874 of 2018
and Crl.M.P.Nos.12003 & 11988 of 2018

1. M/s.Kwality Pharmaceuticals Pvt. Ltd.,
Village Nagkalan Majitha Road,
Majitha-143601,
Represented by its Managing Director,
Mr.Ramesh Arora.

2. Ramesh Arora
Managing Director of
M/s.Kwality Pharmaceuticals (P) Ltd.,
Village Nagkalan,
Majitha Road, Majitha-143 601

.. Petitioners in both Petitions

Vs.

The Drugs Inspector,
Mannargudi Range i/c
Office of the Assistant Director of Drugs Control,
Thanjavur Zone,
No.2975, Gandhiji Road, Thanjavur.

.. Respondent in Crl.O.P.No.21874 of 2018

The Drugs Inspector,
Tiruttani Range,
O/o. the Assistant Director of Drugs Control,
Tiruvallur Zone,
No.201, First Floor, JN Road,
Tiruvallur.

.. Respondent in Crl.O.P.No.21883 of 2018

Prayer in Crl.OP.No.21883 of 2018: This Criminal Original Petition filed under Section 482 of Cr.P.C. to transfer CC.No.58 of 2017 from the file of the learned Chief Judicial Magistrate, Tiruvarur to any other Court at Chennai.

Prayer in Crl.OP.No.21874 of 2018: This Criminal Original Petition filed under Section 482 of Cr.P.C. to transfer CC.No.7 of 2017 from the file of the learned Chief Judicial Magistrate, Tiruvallur to any other Court at Chennai.



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For Petitioners : M/s.Sumithra for Mr.P.Rameshkumar
(in both the petitions)

For Respondent : Mr.C.E.Pratap(in both the petitions)
Government Advocate (Crl. side)

COMMON ORDER

These two petition have been filed by the same petitioner praying to transfer the case in CC.No.7 of 2017 pending on the file of the learned Chief Judicial Magistrate, Tiruvallur and another one i.e. CC.No.58 of 2017 pending on the file of the learned Chief Judicial Magistrate, Thiruvallur to any other Court at Chennai.

2. The facts in brief are as follows:

The petitioner is engaged in business of manufacturing pharmaceutical drugs at Amristar. The respondent inspected the premises of the petitioner and took multi vitamin drops and Cabimazole Tablets for examination in Government laboratory. On analysis, it was found that the products were not upto the standard, for which, a complaint was registered by the respondent under the provisions of Drugs and Cosmetics Act. The cases were taken on file in CC.No.7 of 2017 on the file of the learned Chief Judicial Magistrate, Tiruvallur and another one i.e. CC.No.58 of 2017 on the file of the learned Chief Judicial Magistrate, Thiruvallur.

3. The petitioners, filed affidavit in support of these petitions, has submitted that the head office based at Amristar and since two cases are filed against the company one at Tiruvallur and another one at Thiruvallur. It would be difficult for travel both the places and defend himself before the Courts. The petitioner would submit that it would be convenient for him both the cases are transferred to any of the Court at Chennai which would enable him to conduct the cases with peace.

4. This Court has heard the learned counsel for the petitioner and the learned counsel for the respondent and perused the documents.

5. The learned Government Advocate has no serious objection for transferring the cases.

6. Considering facts and circumstances of the case, this Court is inclined to tag the matters together and this Court directs the learned Chief Judicial Magistrate, Thiruvallur to transfer the proceedings in CC.No.58 of 2017 to the file of the learned Chief Judicial Magistrate, Tiruvallur forthwith.



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7. In the result, both the petitions are allowed.
Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Judicial Magistrate, Tiruvallur
2. The Chief Judicial Magistrate, Thiruvavur
3. The Drugs Inspector,
Mannargudi Range i/c
Office of the Assistant Director of Drugs Control,
Thanjavur Zone,
No.2975, Gandhiji Road, Thanjavur.
4. The Drugs Inspector,
Tiruttani Range,
O/o. the Assistant Director of Drugs Control,
Tiruvallur Zone,
No.201, First Floor, JN Road,
Tiruvallur.
5. The Public Prosecutor,
High Court of Madras.

Crl.O.P.Nos.21883 & 21874 of 2018
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SSI (CO)
K.RK. (24.09.2021)