



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.11.2021

Coram:

WEB COPY

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.15581 of 2017 &
Crl.M.P.Nos.9722, 9723 of 2017 and 12239 of 2021

1. M/s.Maxchem Pharmaceuticals (P) Ltd.,
Represented by its Managing Director
Mr.Anil Kapoor, Plot No.22,
Sec-3 IIE Pantnagar, Rudrapur District,
US Nagar - 263153.

2. Mr.Anil Kapoor, Managing Director of
M/s.Maxchem Pharmaceuticals (P) Ltd.,
Plot No.22, Sec-3 IIE Pantnagar,
Rudrapur District, US Nagar - 263153.

... Petitioners/Accused 1&2

Vs

The State of Tamil Nadu represented by
The Drugs Inspector, Gummidipoondi Range,
Office of the Asst. Director of Drugs Control,
Thiruvallur Zone, No.201, J.N.Road,
1st Floor, Vishnu Complex, Thiruvallur - 602001.

...Respondent/Complainant

(Amended as per order in Crl .M.P15954/2019
in Crl. O.P.15581/2017 dated 26/11/2019)

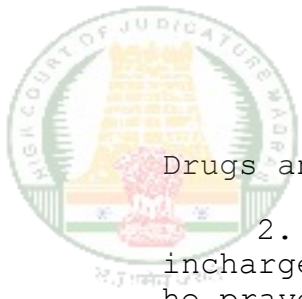
PRAYER: Criminal Original Petition filed under Section 482 of
Criminal Procedure Code, to call for the entire records in
C.C.No.61 of 2017 on the file of the learned Chief Judicial
Magistrate, Thiruvallur and quash all further proceedings
against the accused.

For Petitioners : Mr.R.Karthikeyan,
for Mr.M.Sriram

For Respondent : Mr.R.Kishore Kumar,
Government Advocate(Criminal Side)

O R D E R

This petition has been filed to quash the proceedings in
C.C.No.61 of 2017 on the file of the Judicial Magistrate,
Thiruvallur for the offences under section 18[a] [i] of the



Drugs and Cosmetics Act, 1940.

2. The main contention of the petitioner is that he is not incharge of the company at the relevant point of time and hence, he prayed to quash the proceedings against the petitioner.

3. When this Court has pointed out Section 34 [2] of the Drugs and Cosmetics Act, 1940, the learned counsel for the petitioner sought permission of this Court to withdraw this petition and also made an endorsement to that effect. The learned counsel for the petitioner also sought liberty to raise all his defence before the trial Court and also sought indulgence of this Court to dispense his appearance before the trial Court.

4. In view of the submissions of the learned counsel for the petitioner and the endorsement made, this Criminal Original Petition is dismissed as withdrawn with liberty to the petitioner to raise all his defence before the trial Court. Further, the personal appearance of the petitioner before the trial Court is dispensed with except for receiving copies, answering charges, questioning under section 313 Cr.P.C. or any other date as may be required by the trial Court. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vrc / kbs

To

1. The Chief Judicial Magistrate,
Thiruvallur.

2. The Drugs Inspector, Gummidipoondi Range,
Office of the Asst. Director of Drugs Control,
Thiruvallur Zone, No.201, J.N.Road,
1st Floor, Vishnu Complex, Thiruvallur - 602001.

+1cc to Mr.M.Sriram, Advocate, S.R.No.61678

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and 12239 of 2021

AK-II(CO)
CT 08/12/2021