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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P. No.17690 of 2017
and
Crl.M.P.Nos.10820 & 10821 of 2017

1. M/s.Optival Health Solutions Pvt. Ltd.,
Ground, 1st, 2nd floor (Portion-B) No.2/452A,
Kundrathur Main Road, Kovur, Chennai-101
Rep. by its Managing Director,
Mr.Murali Krishna.
2. Mr.Murali Krishna
S/o.Shesagiri Rao,
3. Paramesham Kasturi
S/o.Vasudev Kasthuri

... Petitioners/Accused No.1 to 3

Vs.

The State rep. by
The Drugs Inspector,
Kanchipuram II Range,
O/o.The Assistant Director of Drugs Control,
Kancheepuram Zone,
DMS Campus,
Chennai-600 006.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.45 of 2017 on the file of the learned Chief Judicial Magistrate, Chengalpattu, Kancheepuram district and quash the same in so far as the petitioner is concerned.

For Petitioners	:	Mr.E.Kannadasan
For Respondent	:	Mr.S.Vinoth Kumar Government Advocate (Crl.Side)



O R D E R

(This case has been heard through video conference)

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This Criminal Original Petition has been filed for quashing the private complaint filed under Sections 27(d) of the Drugs and Cosmetics Rules 1945.

2. The prosecution has been launched for certain violations noticed by Drug Inspector. After hearing the Counsels for both sides, when this Court is about to dismiss the petition, the learned Counsel for the petitioners sought the permission of this Court to withdraw the petition with liberty to raise all his defence before the Trial Court. The learned Counsel also seeks the indulgence of this Court to dispense the personal appearance of the accused.

4. Accordingly, this Criminal Original Petition is dismissed as withdrawn with liberty to raise all the defence before the Trial Court. The personal appearance of the accused is dispensed with, except for receiving copies and answering the charges and questioning under Section 313 Code of Criminal Procedure and any other date fixed by the trial Court. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gd/vrc

To

1. The I Chief Judicial Magistrate,
Chengalpattu, Kancheepuram district
2. The Drugs Inspector,
Kanchipuram II Range,
O/o.The Assistant Director of Drugs Control,
Kancheepuram Zone,
DMS Campus,
Chennai-600 006.



3. The Public Prosecutor,
High Court of Madras.

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+1cc to Mr.E.Kannadasan, Advocate, S.R.No.59387

Cr1.O.P. No.17690 of 2017

VBM(CO)
SU(01/12/2021)