



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15/06/2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.3005 OF 2022

A N D

CRL.M.P.NOS.1352 AND 1353 OF 2022

V.Senthamarai Kannan

... Petitioner

Vs

The State of Tamil Nadu
rep. By Drugs Inspector
Valsaravakkam Range
O/o.The Assistant Director of Drugs Control
Zone IV, Chennai 600 006.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.203 of 2021 on the file of the Chief Judicial Magistrate, Thiruvallur and quash the same.

For petitioners	...	Mr.S.Balaji
For respondent	...	Mr.A.Gokulakrishnan
		Additional Public Prosecutor (Criminal Side)

O R D E R

This Criminal Original Petition has been filed to quash C.C.No.203 of 2021 pending on the file of the Chief Judicial Magistrate, Thiruvallur, for the offences punishable under Sections 18 (c) of the Drugs and Cosmetic Act, 1940 r/w. Rule 65 (3) (1) of the Drugs and Cosmetic Rules, 1945, punishable under Section 27 (d) of the said Act.

2. Heard Mr.S.Balaji, learned counsel appearing for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondent.

3. The learned counsel appearing for the petitioner submitted that even though the complaint has been filed with relevant documents, has not been taken into consideration.



4. On a careful perusal of the materials available on record, this Court is of the view that all the defence to be raised before the trial Court sought to be raised before this Court. This Court, cannot make a roving enquiry and is not inclined to entertain this Criminal Original Petition.

5. Accordingly, this Criminal Original Petition is dismissed. It is left open to the petitioners to raise all the defence before the trial Court.

6. At this stage, the learned counsel appearing for the petitioner seek indulgence of this Court to dispense with the personal appearance before the trial Court. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner before the Trial Court is dispensed with except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., or on any other date, as may be required by the trial Court. They shall be represented by a counsel, who shall cross examine the witnesses on the same day, when he is examined in Chief. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Chief Judicial Magistrate,
Thiruvallur.
2. The Drugs Inspector
State of Tamil Nadu
Valsaravakkam Range
O/o.The Assistant Director of Drugs Control
Zone IV, Chennai 600 006.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Balaji, Advocate, S.R.No.35444

+1cc to Mr.A.Arun Kumar, Advocate, S.R.No.35443

Cr1.O.P.No.3005 of 2022

AJB(CO)
RLP(24/06/2022)