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Crl.O.P.No.10095 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.10095 of 2024

and

Crl.M.P.No.6916 of 2024

Vijay Kumar Joshi
Director, Crescent Therapeutics Ltd.,
(Presently known as Sanctus Global Formulations Ltd.,)
Through its Directors,
Factory at Khasra No.587/588, Village Kunjhal,
Beside Jharmajri,
Baddi, Solan District, Tehsil, Nalagarh,
Himachal Pradesh-173 205. ... Petitioner

Vs.

Union of India,
Represented by
Drugs Inspector,
O/o.the Deputy Drugs Controller (India),
Central Drugs Standard Control Organization,
2nd Floor, Shastri Bawan, Annexe,
26, Haddows Road,
South Zone, Chennai-600 006. ... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to set aside the order dated 20.10.2023 passed by the XV Metropolitan Magistrate, George Town, Chennai in C.C.No.343 of 2021.

For Petitioner : Mr.Sharath Chandran



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For Respondent : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)

ORDER

This Criminal Original petition is filed to set aside the order passed by the XV Metropolitan Magistrate, George Town, Chennai issuing Non Bailable Warrant to the petitioner herein. The petitioner citing his age, illness and also order passed by this Court quashing the complaint as against A2, A3 and A4 seeks intervention of this Court to set aside the order namely the NBW issued under Section 70 of Cr.P.C.,

2. When the Statute prescribes procedure to recall the warrant, petition before this Court under Section 482 Cr.P.C., is not maintainable and it is so held by this Court long back. Therefore, the petitioner is liberty to move the trial Court stating all the facts. If there is any difficulty or grievance to seek redressal before the trial Court, he has liberty to approach this Court challenging the order.

3. In view of the above, this Criminal Original Petition is dismissed.

26.04.202

Neutral Citation : Yes/No
rpl



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To
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1. Drugs Inspector,
Union of India,
O/o. the Deputy Drugs Controller (India),
Central Drugs Standard Control Organization,
2nd Floor, Shastri Bawan, Annexe,
26, Haddows Road,
South Zone, Chennai-600 006.

2. The Public Prosecutor,
High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN,J.

rpl

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