KABC010080592026

IN THE COURT OF THE PRINCIPAL CITY CIVIL AND SESSIONS JUDGE, AT BENGALURU

Dated this the 15th day of April, 2026

PRESENT: Sri M. Chandrashekar Reddy,
B.A., LL.B.
Principal City Civil and Sessions Judge,
Bengaluru.

Crl. Misc. Nos. 2745 & 2788 of 2026

Petitioners :1. M/s. Meditab Worldwide,
(In Crl.Misc.No. 2745/2026)
No.503, Swapna Siddhi,
Akurli Road, Kandivali East,
Mumbai-400101,
Represented by its Partner,
Nilesh K. Khimani.

2. Sri Nilesh K. Khimani,
Aged about 52 years,
Partner and Competent Person of
M/s Meditab Worldwide, No.503,
Swapna Siddhi,
Akurli Road, Kandivali East,
Mumbai-400101,

R/at No.D-403, Rakhee,
Vasant Utsav, Thakur Village,
Khandivali East, Mumbai,
Mubai Suburban,
Maharastra-400101.

(By Sri Prasanna Kumar, Advocate)

Petitioners (In Crl.Misc.No. 2788/2026) :

1. M/s MEDI365LLP,
No.216, 2nd Floor,
4th Main, Chamarajpet,
Bengaluru-560 018.
Represented by its Partner
Babulal Bhojani &
Sandeepostwal.

2. Babulal Bhojani,
Partner of M/s Medi365LLP,
No.216, 2nd Floor, 4th Main,
Chamarajpet,
Bengaluru-560 018.

3. Sandeep Ostwal,
Aged about 42 years,
Partner of M/s Medi365LLP,
No.216, 2nd Floor, 4th Main,
Chamarajpet,
Bengaluru-560 018.

4. Jagadeesh Kumar,
Aged about 68 years,
Proprietor of M/s Mehul Agencies,
No. 147/4, 1st Floor,
Meccai Complex,
1st Cross, A.R. Compound,
Mysore Road, Bengaluru-560 018.

(By Sri Prasanna Kumar, Advocate)

Vs.

Respondent (common) :

The State of Karnataka by
The Assistant Drugs Controller-1,
Bangalore Circle, Bengaluru.

[By Sri Chinnavenkataravanappa,
Public Prosecutor]

COMMON ORDER

The Petitioners have filed these petitions under Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023 praying to grant anticipatory bail to them and for a direction to release them on bail in the event of their arrest in connection with P.C.R. No.279/2025 on the file of Special Court for Economic Offenses, Bengaluru.

2. The Petitioners have contended that they are innocent of the alleged offences and have been falsely implicated in the present case. It is submitted that the investigation itself reveals that M/s Max Relief Healthcare was a non-existent and fake entity and that no manufacturing licence had been issued in its favour. In the absence of any material showing that the Petitioners manufactured the alleged spurious medicines, invocation of Section 18(c) is wholly unsustainable. The allegations relate only to purchase and sale transactions carried out on the basis of invoices issued by upstream suppliers, with no

material to show that the Petitioners had knowledge of the alleged spurious nature of the products.

The Petitioners submit that had they known that Accused No.1 Mr. Sudeep Mukherji and M/s Max Relief Healthcare were operating illegally on the basis of fake and fabricated documents, they would never have purchased medicines from him. All transactions were carried out through lawful banking channels, supported by invoices and GST was duly paid in the bona fide belief that the company was genuine. Upon discovering the fraud, the Petitioners themselves lodged complaints before the concerned authorities.

The Petitioners have been engaged in the pharmaceutical business for over ten years with a clean track record and have always conducted business lawfully. They fully cooperated with the Drugs Control authorities during inspection, furnished all relevant records. The Petitioners submit that they are themselves victims of the fraud committed by Accused No.1. There is no material to show that they actively participated in or had knowledge of the alleged illegal activities of Accused No.1. On the contrary, the documents produced by the Petitioners establish that all transactions were carried out in the ordinary course of lawful business.

The allegation that the Petitioners repacked and sold duplicate medicines in collusion with Accused No.1 is wholly baseless. No packing materials or machinery were seized from their premises. The medicines were supplied in the same condition in which they were procured from Accused No.1. In these circumstances, the Petitioners have prayed that the petitions be allowed, as they are ready and willing to abide by any conditions that may be imposed by the Court.

3. The prosecution has opposed the petitions by filing its objections along with the report of the Drug Inspector. It is contended that the Petitioners, being pharmaceutical distributors, have indulged in the sale of spurious and substandard medicines by repacking the same without possessing any valid licence and thereby committed serious punishable offences. It is further contended that the Petitioners failed to verify the quality of the medicines before

releasing them into the market and by selling such medicines to the public, endangered public health and safety. According to the prosecution, the material collected during investigation prima facie discloses that the Petitioners acted in collusion with the other accused persons and knowingly participated in the illegal activities for wrongful gain. The prosecution further contends that, despite being aware of the consequences of selling substandard medicines, the Petitioners continued such activities, thereby adversely affecting public health. Hence, the prosecution has opposed the grant of anticipatory bail to the Petitioners.

4. Heard learned Counsel for Petitioners and learned Public Prosecutor.

5. The following points would arise for the consideration of this Court:

1. Whether the Petitioners are entitled for anticipatory bail in both the petitions?
2. What Order?

6. The findings of this Court on the above points are under:

Point No.1:- In the Affirmative;

Point No.2:- As per final order;
for the following:

REASONS

7. **Point No.1:** The papers available on record go to show that on 20.11.2025. The Assistant Drugs Controller-1, Bangalore Circle-4, Drugs Control Department, had filed a complaint before the Special Court for Economic Offenses, Bengaluru under Section 223 of Bharatiya Nagarika Suraksha Sanhita, 2023 alleging that Accused Nos.1 to 9 have committed offenses punishable under Sections 27 (c) & 27(d) of the Drugs and Cosmetics Act, 1940.

8. It is the specific case of the prosecution that Accused No.2 is a firm and Accused No.3 is its Partner. It is alleged that the said firm, without possessing a valid licence, was engaged in repacking/manufacturing medicines in violation of the provisions of the Drugs and Cosmetics Act, 1940 and Rules, 1945. On the basis of such violations, the

Assistant Drugs Controller conducted an investigation in accordance with law and registered the present case against the accused persons.

It is revealed that the accused persons, without possessing any valid licence, manufactured/repacked substandard medicines, and upon examination of the analysis report and other records, their involvement in the alleged offences is prima facie established.

9. It is the specific case of the prosecution that Accused No.1 and M/s Max Relief Healthcare were engaged in illegal activities relating to manufacture/repacking and sale of alleged spurious medicines without possessing a valid licence. However, at this stage, no material is placed before the Court to prima facie demonstrate that the present Petitioners themselves were engaged in manufacture of the alleged medicines or that they possessed any machinery, packing materials or infrastructure for carrying out such activities. Admittedly, no such incriminating materials have been seized from the premises of the Petitioners.

10. The records produced before the Court disclose that the transactions between the Petitioners and Accused No.1 were supported by invoices and were carried out through banking channels with payment of applicable GST. The material presently available indicates that the Petitioners were dealing with Accused No.1 in the ordinary course of business. Whether the Petitioners had knowledge regarding the alleged fake nature of M/s Max Relief Healthcare and whether they knowingly participated in the alleged illegal activities are matters to be established during the course of trial.

11. The contention of the Petitioners that they themselves lodged complaints upon discovering the alleged fraud committed by Accused No.1 also requires consideration at this stage. The Petitioners have further contended that they have been carrying on pharmaceutical business for several years and have no criminal antecedents. Nothing is placed before the Court to show that the Petitioners attempted to abscond or failed to cooperate with the investigating

authorities. On the contrary, the records disclose that they have furnished documents and cooperated during inspection and investigation.

12. Though the allegations relate to offences involving public health and are undoubtedly serious in nature, the question whether the Petitioners knowingly sold spurious medicines in collusion with the other accused persons is a matter requiring detailed investigation and appreciation of evidence during trial. At this stage, custodial interrogation of the Petitioners does not appear necessary, particularly when the prosecution case substantially rests upon documentary material already collected by the investigating agency.

13. It is well settled that anticipatory bail cannot be denied as a matter of punishment and that the object of bail is to secure the presence of the accused during investigation and trial. The apprehension of the prosecution can be adequately safeguarded by imposing stringent conditions. In the facts and circumstances of the case, this Court is of the opinion that the Petitioners are entitled to be enlarged on

anticipatory bail subject to appropriate conditions. Accordingly, Point No.1 is answered in the ***affirmative.***

14. **Point No.2:** In the result, this Court proceeds to pass the following:

ORDER

The petitions in Crl. Misc. Nos.2745 and 2788 of 2026 filed under Section 482 of Bharatiya Nagarika Suraksha Sanhita, 2023 are hereby allowed.

The Petitioners in both the petitions shall be released on bail in the event of their arrest in PCR No. 279/2025 on the file of Special Court for Economic Offenses, Bengaluru, subject to following conditions:

1. The Petitioners shall execute a personal bond for Rs.1,00,000/- each along with a surety for the like sum, to the satisfaction of concerned court.

2. Initially, the Petitioners shall appear before concerned court on or before 29.4.2026 Thereafter, they shall appear before the concerned court regularly on all hearing dates and co-operate with further

proceeding in the case unless they are exempted from personal appearance for valid reason.

3. The Petitioners shall not hold any threat to or lure the prosecution witnesses in any manner.

4. The Petitioners shall furnish details of their present and permanent place of residence, registered mobile numbers, e-mail IDs and passports to the Court along with supporting self-attesting documents.

5. They shall not change their present place of residence pending disposal of the case without prior permission of the Court.

Original copy of the Order is kept in Crl. Misc. No.2745/2026 and copy thereof is kept in Crl. Misc. No.2788/2026.

(Dictated to the Stenographer Grade-II directly on the computer, typed by her, then corrected and pronounced by me in the Open Court on this the 15th day of April, 2026)

(**M. Chandrashekar Reddy**)
Principal City Civil & Sessions Judge,
Bengaluru.