

**IN THE COURT OF JUDICIAL MAGISTRATE OF FIRST CLASS – I,
MAVELIKARA.**

PRESENT : - Smt. Soorya S.Sukumaran., Judicial First Class Magistrate.
Dated this the 12th day of June 2026

CMP 1/2026 in CC No. 922/2014

Petitioner	:1. Ms Theon pharmaceuticals limited Sainimajra Village, Near Nalagarh District Solan-174101. 2. Bal Krishan Bansal S/o. Sri. Shiv Narain Bansal, 190 Sector 7, Panchkula 3. Sri.Mukesh Bansal S/o. Sri.Bal krishan Bansal, 190 Sector 7, Pachukula 4. Rohit Bansal S/o Sri. Krishan Chand Bansal, 190, SEctor 7, Panchkula 5 Sri.Vinod Bansal So Ram Niwas Bansal 203 sector 7, Panchkula 6 Anshul Bansal So Sri. Lajpat Rai Bansal 203 sector 7, Panchkula 7 Sri. Lajpat Rai Bansal So Sri. Shiv Narain Bansal 203 sector 7, Panchkula 8 Sri. Punit Bansal So Sri. Bal Krishan Bansal, 190 Sector 7, Panchkula 9 Ms Hetero Health Care limited H.No. 7-2-A2 Hetero Corporate Industrial Estate, Sanathnagar, Hyderabad 18 10 Sri. Srinivasan Reddy Plot No.933, Vivekanadanagar Colony, Hyderabad 5000072
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(By Adv. PRAMOD KUMAR. G)

Respondent	: Kerala State represented by the Drugs Inspector Office of the Drugs Inspector, Alappuzha. (By Sri. Arun Sukumar, A.P.P, Mavelikara)
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Order : Petition is allowed.

The petition came up for hearing and the court delivered the following:

ORDER

This is a petition filed u/s Section 311 of C r p c (348 of BNS) to reopen the evidence of PW8 for the purpose of cross-examination. It is submitted that on the date when PW8 was examined, the learned Counsel for the accused was absent and consequently, he could not cross examine PW8.

2. Learned APP objected the petition on the ground that opportunity had already been granted to the accused and this petition is intended only to protract the proceedings.

3. Heard both sides and perused the records.

4. The records reveal that opportunity had been granted to the accused for cross examination of PW8. However it is seen that on the date when PW8 was examined, the learned Counsel for the accused was not ready and consequently PW8 was discharged without being cross-examined.

5. Considering the fact that cross-examination is a valuable right of the accused and that denial of opportunity to cross-examine the witness may cause prejudice to the defence, this Court is inclined to grant one more opportunity in the intrest of Justice.

6. At the same time, having regard to the fact that opportunity had already been availed, this petition can be allowed only on terms.

7. In the result the petition is allowed on cots of Rs.3,000/- to the TLSA, Mavelikara. On such payment, the evidence of PW8 shall stand reopened for the purpose of cross-examination.

Pronounced by me in open court on this the 12th day of June 2026

Judicial I Class Magistrate-I, Mavelikara.