

**IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, RANIPET**

**Present: Tmt.A.DAOU DH AMMAL, B.A.,M.L.,  
Chief Judicial Magistrate, Ranipet**

Thursday, the 12<sup>th</sup> day of March, 2026

**Calendar Case No.15/2025  
(CNR.No.TNRP02-000445-2024)**

Name of Complainant : State represented by  
Joint Director of Factories- I  
Directorate of Industrial Safety and Health,  
Vellore- 09

Name of Accused : S.Immanuel s/o.Sammuel

Date of Commission of Offence: 22.07.2025

Offence complained of : u/s.6(1)(d) of Factories Act, 1948 r/w Rule 7(1)  
(2)(3) and Rule 12 B(5) of Tamil Nadu Factory  
Rules, 1950 and Sec.6(1)(d) of Factories Act,  
1948 r/w Rule 6(1)(2)(3) of Tamil Nadu  
Factory Rules and u/s. 92 of Factories Act

Plea of the Accused : Found Guilty

Finding of the court : Accused found guilty u/s.6(1)(d) of Factories  
Act, 1948 r/w Rule 7(1)(2)(3) and Rule 12 B(5)  
of Tamil Nadu Factory Rules, 1950 and  
Sec.6(1)(d) of Factories Act, 1948 r/w Rule  
6(1)(2)(3) of Tamil Nadu Factory Rules and  
u/s.92 of Factories Act

Date of Judgement : 12.03.2026

- Sentence of Judgement : In the result, the Accused is found guilty u/s.6(1)(d) of Factories Act, 1948 r/w Rule 7(1)(2)(3) and Rule 12 B(5) of Tamil Nadu Factory Rules, 1950 and Sec.6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules and u/s. 92 of Factories Act and accordingly Accused is sentenced to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for a period of 3 months for offence u/s.6(1)(d) of Factories Act, 1948 r/w Rule 7(1)(2)(3) and Rule 12 B(5) of Tamil Nadu Factory Rules, 1950 punishable u/s.92 of the Factories Act and sentenced to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for the period of 3 months for the offence Sec.6(1)(d) of Factories Act,1948 r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules and u/s. 92 of Factories Act. Total fine Rs.10,000/-. No Material Object marked on the side of Prosecution.
- Prosecution conducted by : Tmt.P.Vetriselvi, Additional Government Pleader for State
- Pleader for the Accused : Tr.M.Senthilkumar, Advocate

This Calendar Case came up for final hearing on today before this court in the presence of Tmt.P.Vetriselvi, Additional Government Pleader for State and Tr.M.Senthilkumar, Advocate for the Accused, on hearing the Arguments of both sides, upon perusal of the entire case records, and having stood over for consideration till this date, this Court delivered the following

### **JUDGEMENT**

The Joint Director of Factories- I, Department of Industrial Safety and Health, Vellore-09 has filed a Complaint stating that Section 6(1)(d) of Factories Act, 1948

stipulates registration and licensing of Factories and prescribes the fees payable for registration and licensing of Factories and renewal of license and further Rule 7(1)(2) (3) and Rule 12B (5) of Factory Rules, 1950 prescribes that no premises shall be used as a factory nor any manufacturing process carried on in any factory, except under, and in accordance with, the license renewed under these Rules through online. But at the time of inspection of Sam Leathers at D.No.701/1-D, MBT Cross Road, Walajahpet, Ranipet on 22.07.2025, the Accused was found running the factory with 26 workers by using 61.50 HP machineries for manufacturing process from 2017 to 2025 without obtaining valid license from the Director of Factories, Department of Industrial Safety and Health Department, Vellore. Hence, the Accused has violated the provisions of Section 6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules, 1950.

2. Further Section 6(1)(d) of Factories Act, 1948 stipulates registration and licensing of Factories and prescribes the fees payable for registration and licensing of Factories and renewal of license and further Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950 prescribes that the limits specified in the license granted to a factory in regard to the horse power or the number of persons employed shall not be altered or the name of the Factory changed unless the license has been amended by the Joint Director of Factories. But at the time of inspection of Sam Leathers at D.No.701/1-D, MBT Cross Road, Walajahpet, Ranipet on 22.07.2025, the Accused had failed to apply for renewal of license and to obtain Report from the Joint Director of Factories and found running the factory with 26 workers by using 61.50 HP machineries. Hence, the Accused has violated the provisions of Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950.

3. Thus the Accused is running a factory in the name of Sam Leathers for

manufacturing of Shoe upper by violating the provisions of Section 6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950. Hence, the Accused is liable to be punished for the above said offences u/s.92 of Factories Act, 1948.

**Cognizance:**

4. On receiving the Complaint, the learned Chief Judicial Magistrate has taken up the case on file as CC.No.15/2025.

**Appearance of Accused and Questioning of offences:**

5. Upon appearance of the Accused, this court on consideration of the materials available on records and after hearing the arguments of both sides, upon perusing the entire case records, questioned the Accused u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable u/s.92 of Factories Act, 1948.

**Plea:**

6. Questioned u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable u/s.92 of Factories Act, 1948 against the Accused, read over and explained to the Accused in Tamil. Accused pleaded not guilty and claimed to be tried.

**Prosecution side evidence:**

7. To substantiate the charges, the Prosecution has examined PW1 as witnesses and exhibited Ex.P1 to Ex.P6 as documents. No Material Objects marked on the side of Prosecution.

**Case of the Prosecution from the evidence of PW1 in brief:**

8. The case of the Prosecution is that Ms.Shanthini Prabha is working as Joint Director of Factories in the Directorate of Industrial Safety and Health, Vellore. Since she got transferred, Mrs.Sangavi, working as Joint Director of Factories in the Directorate of Industrial Safety and Health, Vellore had deposed on behalf of Mrs.Shanthini Prabha. On 22.07.2025, Mrs.Shanthini Prabha had inspected the Sam Leathers at D.No.701/1-D, MBT Cross Road, Walajahpet, Ranipet and during the inspection found the violations of Factories Act, 1948 (Amended Act 1987). At the time of inspection, the Accused was found running the factory with 26 workers by using 61.50 HP machineries for manufacturing process from 2017 to 2025 without obtaining valid license from the Director of Factories, Directorate of Industrial Safety and Health, Vellore and hence the Accused has contravened the provisions of Section 6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules, 1950. Further, the Accused had failed to apply for renewal of license and to obtain Report from the Joint Director of Factories and found running the factory with 26 workers by using 61.50 HP machineries. Hence, the Accused has violated the provisions of Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950.

9. In view of the inspection conducted on 22.07.2025, a Report was prepared on the same day with regard to the above said violations by the Accused. True Copy of Report dated 22.07.2025 is marked as Ex.P1. According to Form No.2, Tr.Immanuvel, s/o.Samuvel,A/58, is the Owner and Manager of the said Factory. True Copy of Form No.2 is marked as Ex.P2. In view of the Inspection conducted by the Joint Director of Factories issued a Show Cause Notice on 24.07.2025 to the Owner and the Manager of the Sam Leather Factories Mr.Immanuvel along with Acknowledgment card for the violations found during the inspection. True Copy of

Show Cause Notice dated 24.07.2025 along with Acknowledgment Card is marked as Ex.P3. It is to be noted that PW1 had deposed that the Accused had received the Ex.P3 show cause Notice but no Reply had been received either from the Owner or the Manager of the Factory. Since the violations found out at the time of inspection of the Factory of the Accused as mentioned in the Ex.P3 Show Cause Notice had not been rectified by the Accused, a Letter dated 08.09.2025 for taking further action against the Factory of the Accused was issued by Joint Director of Factories. True Copy of Letter for taking further action dated 08.09.2025 along with Acknowledgment Card is marked as Ex.P4. Hence Joint Director of Factories had sent the Letter for case proposal to the Additional Director of Industrial Safety and Health, Salem on 08.09.2025. True Copy of Letter for case proposal dated 08.09.2025 is marked as Ex.P5. In continuation of this, Sanction Order was issued by the Additional Director of Industrial Safety and Health which was received on 19.09.2025. True copy of Sanction Order dated 19.09.2025 is marked as Ex.P6.

**Examination of Accused u/s.313(1) Cr.P.C.:**

10. When Accused is asked about the incriminating evidence appeared against him u/s.313(1)(b) Cr.P.C., he admitted his complicity in this case.

**Defence Evidence:**

11. No oral and documentary evidence was adduced on the side of Accused. Admission Petition filed by the Accused during the course of Trial in this case.

**Point for consideration:**

12. Now the point that arise for determination is whether the Prosecution has proved the guilt against u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable u/s.92 of Factories Act, 1948

beyond reasonable doubt? If so, what would be the sentence to be imposed upon the Accused.

**Point:**

13. It is pertinent to note that the case of the Prosecution is that Section 6(1)(d) of Factories Act, 1948 stipulates registration and licensing of Factories and prescribes the fees payable for registration and licensing of Factories and renewal of license and further Rule 7(1)(2)(3) and Rule 12B (5) of Factory Rules, 1950 prescribes that no premises shall be used as a factory nor any manufacturing process carried on in any factory, except under, and in accordance with, the license renewed under these Rules through online. But at the time of inspection of Sam Leathers at D.No.701/1-D, MBT Cross Road, Walajahpet, Ranipet on 22.07.2025, the Accused was found running the factory with 26 workers by using 61.50 HP machineries for manufacturing process from 2017 to 2025 without obtaining valid license from the Director of Factories, Department of Industrial Safety and Health Department, Vellore. Hence, the Accused has violated the provisions of Section 6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules, 1950.

14. Further Section 6(1)(d) of Factories Act, 1948 stipulates registration and licensing of Factories and prescribes the fees payable for registration and licensing of Factories and renewal of license and further Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950 prescribes that the limits specified in the license granted to a factory in regard to the horse power or the number of persons employed shall not be altered or the name of the Factory changed unless the license has been amended by the Joint Director of Factories. But at the time of inspection of Sam Leathers at D.No.701/1-D, MBT Cross Road, Walajahpet, Ranipet on 22.07.2025, the Accused had failed to apply for renewal of license and to obtain Report from the Joint Director of Factories

and found running the factory with 26 workers by using 61.50 HP machineries. Hence, the Accused has violated the provisions of Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950.

15. Thus the Accused is running a factory in the name of Sam Leathers for manufacturing of Shoe upper by violating the provisions of Section 6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules, 1950. Hence, the Accused is liable to be punished for the above said offences u/s.92 of Factories Act, 1948.

16. It is to be noted that PW1 Ms.Shanthini Prabha is working as Joint Director of Factories in the Directorate of Industrial Safety and Health, Vellore. Since she got transferred, Mrs.Sangavi, working as Joint Director of Factories in the Directorate of Industrial Safety and Health, Vellore had deposed on behalf of Mrs.Shanthini Prabha. On 22.07.2025, Mrs.Shanthini Prabha had inspected the Sam Leathers at D.No.701/1-D, MBT Cross Road, Walajahpet, Ranipet and during the inspection found the violations of Factories Act, 1948 (Amended Act 1987). At the time of inspection, the Accused was found running the factory with 26 workers by using 61.50 HP machineries for manufacturing process from 2017 to 2025 without obtaining valid license from the Director of Factories, Directorate of Industrial Safety and Health, Vellore and hence the Accused has contravened the provisions of Section 6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules, 1950. Further, the Accused had failed to apply for renewal of license and to obtain Report from the Joint Director of Factories and found running the factory with 26 workers by using 61.50 HP machineries. Hence, the Accused has violated the provisions of Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu

Factory Rules, 1950.

17. In view of the inspection conducted on 22.07.2025, a Report was prepared on the same day with regard to the above said violations by the Accused. True Copy of Report dated 22.07.2025 is marked as Ex.P1. According to Form No.2, Tr.Immanuvel, s/o.Samuvel,A/58, is the Owner and Manager of the said Factory. True Copy of Form No.2 is marked as Ex.P2. In view of the Inspection conducted by the Joint Director of Factories issued a Show Cause Notice on 24.07.2025 to the Owner and the Manager of the Sam Leather Factories Mr.Immanuvel along with Acknowledgment card for the violations found during the inspection. True Copy of Show Cause Notice dated 24.07.2025 along with Acknowledgment Card is marked as Ex.P3. It is to be noted that PW1 had deposed that the Accused had received the Ex.P3 show cause Notice but no Reply had been received either from the Owner or the Manager of the Factory. Since the violations found out at the time of inspection of the Factory of the Accused as mentioned in the Ex.P3 Show Cause Notice had not been rectified by the Accused, a Letter dated 08.09.2025 for taking further action against the Factory of the Accused was issued by Joint Director of Factories. True Copy of Letter for taking further action dated 08.09.2025 along with Acknowledgment Card is marked as Ex.P4. Hence Joint Director of Factories had sent the Letter for case proposal to the Additional Director of Industrial Safety and Health, Salem on 08.09.2025. True Copy of Letter for case proposal dated 08.09.2025 is marked as Ex.P5. In continuation of this, Sanction Order was issued by the Additional Director of Industrial Safety and Health which was received on 19.09.2025. True copy of Sanction Order dated 19.09.2025 is marked as Ex.P6.

18. It is to be noted while the Accused was questioned u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable

u/s.92 of Factories Act, 1948 against the Accused, read over and explained to the Accused in Tamil, Accused pleaded not guilty and claimed to be tried. No oral and documentary evidence was adduced on the side of Accused. But whereas Admission Petition filed by the Accused after Questioning about the incriminating evidence u/s.313 Cr.P.C, thereby admitting his guilt and prayed some leniency may be imposed upon the Accused.

19. Therefore on consolidation of all the facts stated supra, considering the fact that even though the Accused had pleaded not guilty and claimed to be tried at the time of initial questioning, thereafter Admission Petition filed by the Accused after Questioning about the incriminating evidence u/s.313 Cr.P.C. thereby admitting his guilt and prayed some leniency may be imposed upon the Accused. Hence on perusal of records and on considering the Admission Petition filed by the Accused, it is very clearly seen that the Prosecution had proved the case against the Accused beyond reasonable doubt. Hence this Court considers that the Accused is found guilty for the offences u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable u/s.92 of Factories Act, 1948

20. In the result, the Accused is found guilty u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12B(5) of Tamil Nadu Factory Rules and Section 6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable u/s.92 of Factories Act, 1948. Accordingly the Accused is sentenced to pay a fine of **Rs.5,000/-** in default to undergo simple imprisonment for the period of **3** months for the offence u/s.6(1)(d) of Factories Act r/w Rule 7(1)(2)(3) and Rule 12 B(5) of Tamil Nadu Factories Rules, punishable u/s.92 of the Factories Act and sentenced to pay a fine of **Rs.5,000/-**in default to undergo simple imprisonment for the period of **3**

months for the offence u/s.6(1)(d) of Factories Act r/w Rule 6(1)(2)(3) of Tamil Nadu Factory Rules punishable u/s.92 of Factories Act, 1948. Total fine **Rs.10,000/-**. No Material Object marked on the side of Prosecution.

Dictated to the Steno-Typist, typed by her in computer directly, corrected and pronounced by me in open court, on this the 12<sup>th</sup> day of March, 2026.

Chief Judicial Magistrate,  
Ranipet.

**Appendix**

**List of Prosecution Witnesses:**

PW1 Mrs.S.Sangavi

**List of Prosecution Exhibits:**

Ex. P1	22.07.2025	Report
Ex. P2	22.07.2025	True copy of Form No.2
Ex. P3	24.07.2025	Show cause notice
Ex. P4	08.09.2025	Letter for taking further action along with Acknowledgment Card
Ex. P5	08.09.2025	Letter for case proposal
Ex. P6	19.09.2025	Sanction Order

**List of Prosecution M.O.s: NIL**

**List of Defence Witness and Exhibits: NIL**

Chief Judicial Magistrate,  
Ranipet