

**IN THE COURT OF 1<sup>st</sup> ADDITIONAL DISTRICT AND SESSIONS JUDGE,  
THIRUVALLUR, TAMILNADU**

Present:- **Tmt. S. TASNEEM, M.L.,**  
I-Additional District and Sessions Judge, Tiruvallur

Wednesday, dated the 15<sup>th</sup> day of April 2026

**Sessions Case No.1 of 2023**

(P.R.C.No.32/2022, on the file of Chief Judicial Magistrate Court, Tiruvallur)

State represented by  
the Drug Inspector,  
Thiruvottiyur Range,  
Tiruvallur Zone

..... Complainant

Vs

Dr.P.Meiyathan, aged about 36 years,  
Proprietor of M/s Jaiyam Clinic,  
No.12/2, A-2, Malayathamman koil street,  
Mannurpet, Padi,  
Chennai – 50.

...Accused

This Sessions case coming on 01.04.2026 before me for final hearing in the presence of the M/s D.Somasundaram, Learned Counsel on behalf of Prosecution and M/s J.Ganesh and J.Karthikeyan, Learned Counsels for the accused and upon hearing their arguments having stood over for consideration till this day, this court delivered the following:

**JUDGMENT**

The complainant/State represented by the Drugs Inspector, Thiruvottiyur Range, filed the complaint u/s.200 of Cr.P.C., alleging that the accused P.Meiyathan, Proprietor of M/s Jaiyan Clinic, No.12/2, A-2, Malayathamman koil

street, Mannurpet, Padi, Chennai - 50 has committed the offences u/s 18(c) of the Drugs and Cosmetics Act 1940 read with Rule 27 (b) (ii) of the Drugs and Cosmetics Rules 1945, and 18 A of the Drugs and Cosmetics Act 1940 read with Rule 28 of the Drugs and Cosmetics Rules 1945.

2. According to the complainant, during the inspection on 23.02.2010 in the premises of M/s Jaiyan Clinic, No.12/2, A-2, Malayathamman koil street, Mannurpet, Padi, Chennai - 50, found that certain drugs were stocked and sold in an open shop without a valid drug licence and for not having produced the purchase records for certain drugs. Therefore, he has contravened section u/s.18(c) of the Drugs and Cosmetics Act 1940 read with Rule 27 (b) (ii) of the Drugs and Cosmetics Rules 1945, and 18 A of the Drugs and Cosmetics Act 1940 read with Rule 28 of the Drugs and Cosmetics Rules 1945. Therefore, the complainant filed the complaint against the accused before the Chief Judicial Magistrate, Tiruvallur.

3. Upon being satisfied with the prima facie case made against Accused, the Learned Chief Judicial Magistrate, Tiruvallur, took the case on file as PRC No.32/2022 on 01.11.2022 and furnished copies under Section 207 of the Cr.P.C. Having been satisfied that the offenses against Accused are exclusively triable by the Court of Sessions, the learned Chief Judicial Magistrate, Tiruvallur, committed the case to the Principal District and Sessions Court, Tiruvallur, under Section 209(a) of the Cr.P.C. Consequently, the case was taken on file as S.C.No.1/2023 by the Hon'ble Principal District and Sessions Court, Tiruvallur, and the same was then made over to this Court for trial.

4. Upon the appearance of Accused, and after hearing both sides, and being satisfied that there were reasons to proceed against the accused, charges on 2 counts were framed there under.

5. The aforementioned charges were read over and explained to accused, and questioned. Accused denied the charges and pleaded not guilty. Consequently, the trial commenced.

6. To prove the offenses leveled against the accused, the learned additional public prosecutor filed adoption memo stating that, the examination of PW1 to PW6 and marking of documents in lower court are same and therefore adopted the same as PW1 to PW6 and Ex.P1 to Ex.P13.

7. The PW1, Drugs Inspector, deposed that, on 23.02.2010 he received information from the Ambattur, Padi people and based on information he, PW2 Tr.Elango, Drug Inspector, Perambur Range, and with two independent witnesses namely PW4 Tr.Nagarajan and PW6 Tr.Thangaraju they are inspected the premises of Dr.P.Meiyathan, Proprietor of M/s Jaiyan Clinic, No.12/2, A-2, Malayathamman Koil street, Mannurpet, Padi, Chennai-50. During the time of inspection, they found that certain drugs were stocked in an open shop and selling drugs across the counter which is the contravention of "Schedule K" of the Drugs and Cosmetics Rule 1945 and for not having valid drug license. Therefore, the PW1 has issued **Ex.P1** notice under Section 22(1)(cca) of Drugs and Cosmetics Act 1940 on 23.02.2010 itself by directing the accused to submit the relevant documents for verification and also took a sample of **Cofmark expectorant batch No.CR107, Benactin syrup Batch**

**No.1202.** for analysis under **Ex.P2** Form 17 with proper cash payment. Accordingly, the accused has produced the relevant documents of **Ex.P3** Purchase invoices and issued **Ex.P4** Voluntarily statement. After drawing the sample for analysis the Drug Inspectors, PW1 and PW2 seized the remaining stocks of drugs under **Ex.P5** form-16 and prepared **Ex.P6** mahazar in the presence of two independent witnesses PW4 and PW6. The PW4 Tr.Nagarajan put his signature in Ex.P5 form-16 and Ex.P6 mahazar which is marked as **Ex.P13**. The drugs seized form 16 and mahazar were produced before the Chief Judicial Magistrate, Tiruvallur on 24.02.2010 for safe custody. The said order marked as **Ex.P7**.

8. Subsequently, **Ex.P8** show cause memo dated 07.05.2010 was issued to the accused calling for his explanation on the violations noticed during the course of inspection held on 23.02.2010. For which, the accused has sent his **Ex.P9** reply dated 20.05.2010 along with purchase bills for the 16 items of drugs. The said purchase bills found that the products Ibukind Plus Susp.60ml, B.No.91BP152 & for Ranitin 300, B.No.CE309013 was pertaining to M/s Sreela Medicals, Annanagar west extn and it does not belong to accused. Hence, the accused has not submitted the proper purchase records for the above said products. Since, the Ex.P9 explanation was not satisfactory, the PW.1, sent **Ex.P10** proposal to the Director of the Drugs Control, Tiruvallur on 23.07.2010 and initiated proceedings against the accused by obtaining sanction in R.Dis.No.11538/IW2/2010 (30), dated 28.04.2011 **Ex.P11** from the Director of Drugs Control and the present complaint has been lodged. The PW1 has handed over the entire investigation file to PW3 Tmt.Chitra. She further

investigation about the above said occurrence and she marked Ex.P12 copy of complaint. The above said facts and circumstances, the PW3 comes to conclusion that the accused has contravened u/s.18(c) of the Drugs and Cosmetics Act 1940 read with Rule 27 (b) (ii) of the Drugs and Cosmetics Rules 1945, and 18 A of the Drugs and Cosmetics Act 1940 read with Rule 28 of the Drugs and Cosmetics Rules 1945.

9. After recording of the said complainant's evidences, all the incriminating evidence were put to the accused U/s 313 [Cr.P.C.](#) In turn, the accused admitted the offences levelled against him. He also filed an admission petition pleading guilty and reported that he has no evidence either oral or documentary.

10. Heard and perused the records.

11. The Pw1 has categorically deposed that the accused has stocked and sold drugs without a valid drug licenc in an open shop and for not having produced the purchase records for certain drugs. Therefore, he has contravened section u/s.18(c) of the Drugs and Cosmetics Act 1940 read with Rule 27 (b) (ii) of the Drugs and Cosmetics Rules 1945, and 18 A of the Drugs and Cosmetics Act 1940 read with Rule 28 of the Drugs and Cosmetics Rules 1945. Further, though the accused not pleaded guilty at the initial stage, after trial when he was questioned under section 313 of Cr.P.C., the accused himself admitted the offence. The accused further prayed for awarding lesser punishment stating that he is maintaining all the records and has complied with the deficiencies as pointed out by the complainant's drug Inspector.

12. Question of sentences asked to the accused. Since the accused found guilty of the Sec. 18(c) of the Drugs and Cosmetics Act 1940 read with Rule 27 (b) (ii) of the Drugs and Cosmetics Rules 1945, and 18 A of the Drugs and Cosmetics Act 1940 read with Rule 28 of the Drugs and Cosmetics Rules 1945 for which the accused prayed for awarding lesser punishment of fine alone since, he is the only bread winner of the family.

13. Therefore, in view of the above admission by accused and also considering the facts and circumstances of the case, this court convicts the accused on his admissions and sentences him to imprisonment till rising of the court and to pay a fine of Rs.25,000/- u/s 27(b)(ii) of the Drugs and Cosmetics Act 1940 and also sentenced the accused to pay a fine of Rs.25,000/- u/s 28 of Drugs and Cosmetics Act 1940.

14. In total, this court sentences the accused to pay fine of Rs.50,000/- in default to undergo simple imprisonment for 6 months.

Dictated by me to the steno-typist, typed by her directly in the computer, corrected and pronounced by me in the open Court, on this 15<sup>th</sup> day of April 2026.

I-Additional District and Sessions Judge,  
Tiruvallur

Prosecution witnesses:-

PW1	Tr.Kannan
PW2	Tr.R.Elango
PW3	Tr.R.Chitra
PW4	Tr.Nagarajan

PW5 Tr.Jayaprakash

PW6 Tr.Thangaraju

Prosecution Exhibits:-

Ex.P1	23.02.2010	Notice under Section 22(1)(cca) of Drugs and Cosmetics Act 1940
Ex.P2	23.02.2010	Form 17 and sales bills
Ex.P3	23.02.2010	Purchase invoice Nos.13
Ex.P4	23.02.2010	Voluntary statement of the accused
Ex.P5	23.02.2010	Form 16
Ex.P6	23.02.2010	Mahazar
Ex.P7	----	Safe custody order of the Chief Judicial Magistrate, Court
Ex.P8	07.05.2010	Show cause memo
Ex.P9	20.05.2010	Reply given by the accused
Ex.P10	23.07.2010	Proposal of the Drug Inspector
Ex.P11	28.04.2011	Sanction Order R.Dis.No.11538/IW2/2010(30)
Ex.P12	---	Copy of complaint
Ex.P13	---	PW4 signature marked in form16 and mahazar

Defence Side witnesses & Exhibits: NIL

Material Objects:- NIL

I-Additional District and Sessions Judge,  
Tiruvallur