

**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

Tuesday, dated the 07<sup>th</sup> day of April 2026

**Sessions Case No.30 of 2023**

(P.R.C.No.54/2022, on the file of Chief Judicial Magistrate Court, Tiruvallur)

State represented by  
A.Thirugnana Sambantham,  
the Drug Inspector,  
Madhuravoyal Range,  
Zone-IV, Chennai-06

..... Complainant

Vs

Dr.Aiysha Beevi,  
W/o Tr.N.Muhasudeen,  
Person in Charge of M/s A.N.Pharmacy and Lab  
of A.N.Clinic  
No.4/1399, Ground floor, Mugappair West,  
Chennai-37.

...Accused

This Sessions case coming on 17.03.2026 before me for final hearing in the presence of the Thiru.C.Ravichandran, Learned Additional Public Prosecutor on behalf of Prosecution and Tr.M.Vivekanandan, Learned Counsel 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, Madhuravoyal Range, filed the complaint u/s.200 of Cr.P.C., alleging that the accused Dr.Aiysha

Beevi, Person incharge of M/s A.N.Pharmacy and Lab of A.N.Clinic, at No.4/1399, ground floor, Mugappair West, Chennai – 37, 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 06.08.2018 in the premises of M/s A.N.Pharmacy and Lab of A.N.Clinic, at No.4/1399, ground floor, Mugappair West, Chennai – 37, in the presence of the accused who is the person incharge of the said medicals, found that having stocked and sold drugs without a valid drug licence in an open shop and for not having produced the purchase records for certain drugs. Therefore, she 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.54/2022 on 21.11.2022 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.30/2023 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 and marking of documents in earlier court may be treated as same as examined as PW1 and Ex.P1 to Ex.P17 were marked.

7. The PW1, complainant's Drugs Inspector deposed that, as per **Ex.P1** GO(4D).No.20 dated 12.07.2013 he was notified as an inspecting authority under section 32(1) of the Drugs and Cosmetics Act and thereby he was empowered for the same. He made an inspection at M/s A.N.Pharmacy and Lab of A.N.Clinic, at No.4/1399, ground floor, Mugappair West, Chennai – 37 on 06.08.2018 in the presence of accused who is the person incharge of the said pharmacy. During the time of inspection he found that the accused has not obtained any drug license from the licensing authority. Therefore, the PW1 has issued **Ex.P2** notice under Section 22(1) (cca) of Drugs and Cosmetics Act 1940 on 06.08.2018 itself by directing the accused to submit the relevant documents for verification. She issued **Ex.P3** reply dated

06.08.2018 stating that she did not currently own drug license and requested five days time to produce purchase bills dated 23.07.2018 to 6.08.2018. Thereafter, the accused acknowledged the receipt of the letter and produced certain purchase bills for the period from 23.07.2018 to 06.08.2018 invoice for 54 items which is marked as **Ex.P4 and Ex.P5** respectively. The drug inspector took a sample of **chericof syrup 100ml B.No.2962772** for analysis under **Ex.P6** Form 17 and the payment for the drawn sample Rs.306 was paid by cash in the sale bill No.45832 dated 06.08.2028 in **Ex.P7**. After drawing the sample for analysis the PW1 seized the remaining stocks of drugs under **Ex.P8** form 16 and prepared mahazar, mahazar list and photos of pharmacy which is marked **Ex.P9 to Ex.P11** mahazar and mahazar list and details of 54 items of drugs which is marked as **MO1**. The above sample was sent to analysis in **Ex.P12** Form 18 and the analysis report marked as **Ex.P13** and the acknowledgement card marked as **Ex.P14**. On 23.08.2018, a petition was filed before the Chief Judicial Magistrate, Tiruvallur seeking permission to return the sale invoices to the person incharge since it is documents which were seized u/s 22(1)(cc) of the Act which has to be returned to the person within 20 days, whereas the Hon'ble court returned the petition citing 451 of Cr.P.C., stating that the court is vested with powers. The same was also communicated to the accused on 18.06.2019, the said letter marked as **Ex.P15**.

Hence, the complainant's Drug Inspector had issued **Ex.P16** show cause memo dated 18.06.2019 to the accused for seeking explanation for the contravention of 18(c) of Drugs and Cosmetics Act 1940 and records of purchase for the drugs seized

were requested as per Sec.18A of the act 1940 and the drugs inspector seized 7 bill books from the above said pharmacy which is marked as **Ex.P17**.

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 her. She also filed an admission petition pleading guilty and reported that they have 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 a open shop and for not having produced the purchase records for certain drugs. Therefore, she 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 has not pleaded guilty at the initial stage, after trial when she was questioned under section 313 of Cr.P.C., the accused herself admitted the offence. The accused further prayed for awarding lesser punishment stating that they are 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 her admissions and sentences her 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 07<sup>th</sup> day of April 2026.

I-Additional District and Sessions Judge,  
Tiruvallur

Prosecution witnesses:-

PW1 Tr.Dillibabu

Prosecution Exhibits:-

Ex.P1	12.07.2013	Tamil Nadu G.O.MS.No.93
Ex.P2	06.08.2018	Notice under Section 22(1)(cca) of Drugs and Cosmetics Act 1940
Ex.P3	06.08.2018	Reply from the Accused
Ex.P4	---	Purchases invoices (54 numbers)

Ex.P5	–	Acknowledgement card
Ex.P6	---	Form 17
Ex.P7	06.08.2018	Sales bills
Ex.P8	---	Form 16
Ex.P9	06.08.2018	Mahazar
Ex.P10	06.08.2018	Mahazar list
Ex.P11	–	Photos of showing pharmacy
Ex.P12	07.08.2018	Form 17
Ex.P13	11.09.2018	Report of Govt analyst
Ex.P14	---	Letter and acknowledgement card
Ex.P15	---	Communication latter of Court order to the accused
Ex.P16	18.06.2019	Show cause memo
Ex.P17	06.08.2018	7 Bill books

Defence Side witnesses & Exhibits: NIL

Material Objects:-

M.O.1        Details of the 54 items of Drugs

I-Additional District and Sessions Judge,  
Tiruvallur