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IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, TIRUPATHUR,
TIRUPATHUR DISTRICT.

Present : **Selvi.M.K.Anusha, M.L.,**
Chief Judicial Magistrate,
Tirupathur.

Wednesday this the 18th day of March 2026
Thiruvalluvar Aandu 2056, Shri Vishwavasu Varudam 04th day of Panguni Thingal.
CC.No.5/2026

CNR.No. TNTU020001312026

The State Represented by
The Deputy Director of Industrial
Safety & Health Circle – II
Vellore.

.....Petitioner/Complaint.

// Versus //

Mr.C.S.Irshad Ahmed S/o.Mr.Shahabuddin,
Manager, Rumana Leathers Company,
S.No.21/1, 26/7, 26/3, 26/1, 26/2,
D.No.2, 2A1, 2B, Kaspas Road, Ambur,
Tirupathur District – 635 802.

.....Respondent/Accused.

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| 1. | Name of the Complaint | The State Represented by The Deputy Director of Industrial Safety & Health Circle – II Vellore. |
| 2. | Name of the Accused | Mr.C.S.Irshad Ahmed S/o.Mr.Shahabuddin, Manager, Rumana Leathers Company, S.No.21/1, 26/7, 26/3, 26/1, 26/2, D.No.2, 2A1, 2B, Kaspas Road, Ambur, Tirupathur District – 635 802. |

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| 3. | Date of Occurrence | 02.07.2025 |
| 4. | Period of Remand of the Accused | --- |
| 5. | Date of filing | 05.01.2026 |
| 6. | Date of 1 st appearance of the Accused | 04.02.2026 |
| 7. | Questioning of the Accused Under Section 251 of BNSS | 18.03.2026 |
| 8. | Date of Trial | 04.02.2026 |
| 9. | Date of Questioning under section 351 of BNSS | --- |
| 10. | Date of last hearing | 11.03.2026 |
| 11. | Date of Judgment | 18.03.2026 |
| 12. | Charges against Accused | Section 41 Rule 61E punishable under section 92 Factories Act 1948. |
| 13. | Plea of the Accused | Pleaded guilty |
| 14. | Details of the absconder of the Accused and his appearance and production as the case may be | Nil |
| 15. | Grant of Stay by the Superior Courts and the result there of | Nil |



DETAILS OF JUDGMENT

In the Result :-

1. The accused is found guilty for the offences charged Section 41 Rule 61E which is Punishable Under Section 92 Factories Act 1948 and convicted for the said offense U/s 271 (2) of BNSS.

2. For the violation Committed of Section 41 Rule 61E of Factories Act 1948 which is Punishable Under Section 92 Factories Act 1948 the accused shall pay a fine of ***Rs.5,000/- (Rupees Five Thousand only)*** in default to undergo imprisonment for one month.

3. Total Fine amount is Rs.5,000 /- (Five Thousand only).

4. The bail bond if any executed by the accused is canceled.

This case coming on 11.03.2026 for final disposal before me in the presence of

**State Deputy Director Industrial Safety and
Health Circle-II, Vellore.**

Counsel for Accused Tr.M.R.Ramanan.

and heard both side arguments and upon perusing the records and having stood over for consideration till this day, this Court delivers the following



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JUDGMENT

1. This complaint has been filed Under Section 105(1) of Factories Act, by the Deputy Director, Industrial Safety and Health Circle – II (In charge), Vellore for the alleged violation of Section 41 Rule 61E which is Punishable Under Section 92 Factories Act 1948. As the complainant is Public servant the oath of the complainant was dispensed with as per section 223(a) of BNSS. On perusing the records the cognizance was taken by this Court.

2.The Brief Averments of the Complaint is as follows :-

2.1. The Deputy Director of Industrial Safety and Health, Vellore has filed this complaint stating that the accused is the Manager of Rumana Leather Company, S.No.21/1, 26/7, 26/3, 26/1, 26/2, D.No.2, 2A1, 2B, Kaspa Road, Ambur, Tirupathur District – 635 802. The Factory Inspector visited the premises on 02.07.2025 at 02.30 P.M and it is found by the complainant that as per Section 41 Rule 61E which is violation of the said section and rules

2.2. As the said person has violated the said provisions of the act, the Accused is liable to be punished under section 92 Factories Act 1948 is the sum and substance of the complaint.

2.3. After perusing the records, and the complaint this Court has taken cognizance, summons were issued to the accused person.

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3. Copies furnished to the accused Under section 230 of BNSS. :-

3.1. The accused appeared before this Court on **04.02.2026**. Copies were served under section 230 of BNSS at the time of appearance.

4. Evidence of the complaint taken Under Section 267 of BNSS :-

4.1. The evidence of the complaint Tr.G.Premkumar was taken under Section 267 of BNSS and through her Ex.P.1 to Ex.P.11 were marked.

5. Charges Framed :-

5.1. On perusal of the evidence of PW.1 and the documents filed as against the accused the charges for violation under Section 41 Rule 61E which is punishable under 92 Factories Act 1948 were framed.

6. Plead of the Accused :-

6.1. *The accused pleaded Guilty of the charges and filed guilty petition. The settlement made to the injured workers family and document is filed.*

7. Points for consideration :-

7.1. **Whether the complainant has proved the charges under Section 41 Rule 61E of Factories Act as against the accused ?**

8. Discussion :-

8.1. On perusal of the evidence of the PW.1 and documentary evidences relied on by the Assistant Director of Industrial safety is quiet evident that on 02.07.2025 at about



02.30 P.M the complainant has made a surprise visit to the factory situated in S.No.21/1, 26/7, 26/3, 26/1, 26/2, D.No.2, 2A1, 2B, Kaspas Road, Ambur, Tirupathur District – 635 802 the said factory is functioning under name and the style of “Rumana Leather Company”. The complainant states that the accused is the Manager of the said factory. In order to prove that the accused is the Manager of the said factory the complainant has filed the **Ex.P.2** Inspection report and **Ex.P.1**, Form 18 . Form 2 is marked as **Ex.P3**. On perusal of the same it is quiet evident that the accused is the Manager of the said factory. There is no dispute over the said fact.

8.2. On the perusal of Ex.P.1, inspection report it seems that the accused has not maintained machinery. Further, in the said inspection it came to the light of the Complainant that the accused has committed violation of the following provisions. They are

1. The accused did not maintained machinery (Programmable Logic Circuit Board- PLCB controlling feeding table in hydraulic plating machine), plants or equipment (Automatic Mechanical lock not fixed) avoiding risk of bodily injury violation of Section 41 Rule 61E of the Factory Act and Rules.

8.3. As in the surprise inspection, the complaint has found certain violation of provision and rules. The complaint has issued **Ex.P.4**, show cause notice to the accused to Explain the same. The said notice was received by the accused which is evident from



Ex.P.5 acknowledgment card. Photos (1 Number) is marked as **Ex.P.7**. Detailed Inspection Report is marked as **Ex.P.8**. As the accused has replied to the show cause notice in **Ex.P.6** the complainant through **Ex.P.9** has informed to the accused that they are going to prosecute. In-order to prosecute the accused the complainant has sent a letter in **Ex.P.10** the Additional Director of Industrial safety and health, Vellore for granting sanction to prosecute the accused. The sanction was obtained to prosecute the accused in **Ex.P.11**.

8.4. From the above oral and documentary evidences of prosecution, this Court come to the conclusion that the complainant has proved the case beyond the reasonable doubt, that the accused is found guilty of

1. Violation of Section 41 Rule 61E of Factories Act 1948 and Tamil Nadu Factories Act Rule 1950 which are Punishable Under Section 92 of Factories Act.

8.5. The accused also pleaded guilty of the charges framed against him. The accused was also questioned regarding imposition of sentence against him.

Questioning of sentence

1. This Court found guilty and convicting you for not maintained machinery (Programmable Logic Circuit Board- PLCB controlling feeding table in hydraulic plating machine), plants or equipment (Automatic Mechanical lock not fixed) avoiding



risk of bodily injury for the offences charged Under Section 41 Rule 61E punishable under section 92 Factories Act 1948 and what do you say ?

Answer:

2. What do you say about the sentences likely to be imposed upon you for the aforesaid charges against you?

Answer:

Considering the said fact and circumstance, this Court takes a lenient view to impose only the punishment of fine against the accused herein.

9. Result : -

9.1. The accused is found guilty of the violation of Section 41 Rule 61E of Factories Act and convicted for the said offense and Sec.271 (2) BNSS.

9.2. For the violation Committed under Section 41 Rule 61E of Factories Act 1948 Tamil Nadu Factories Act Rule 1950 which is Punishable Under Section 92 of Factories Act the accused officer shall pay a fine of Rs.5,000/- in default to under go imprisonment for one month.

9.4. Total Fine amount is Rs.5,000/-

9.5. The bail bond if any given by the accused is hereby canceled.



Dictated by me to the Typist directly and computerized by her directly, corrected and pronounced by me in open Court on 18th day of March 2026.

M.K.Anusha,
Chief Judicial Magistrate,
Tirupathur.

1. List of Witnesses examined on the side of the Complainant :-

1. PW.1 Tr.G.Premkumar, Assistant Director,
Industrial Safety & Health Department, Vellore.

2. List of Exhibits marked on the side of the Complainant :-

1. Ex.P.1 Form 18 dated 14.07.2025.
2. Ex.P.2 Inspection Report dated 02.07.2025.
3. Ex.P.3 Form 2 dated 15.10.2022.
3. Ex.P.4 Show cause notice dated 14.07.2025.
5. Ex.P.5 Acknowledgment card dated 18.07.2025.
6. Ex.P.6 Reply letter dated 24.07.2025.
7. Ex.P.7 Photo (1 Number).
8. Ex.P.8 Detailed Inspection Report dated 26.08.2025.
9. Ex.P.9 Further action details letter dated 25.02.2025.
10. Ex.P.10 Case proposal sent through Deputy Director Chennai dated 29.08.2025.
11. Ex.P.11 Memorandum dated 18.09.2025.

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3. **List of Witnesses examined on the side of the Accused** :- Nil

4. **List of Exhibits marked on the side of the Accused** :- Nil

5. **Property Order** :-

There is no property Order.

6. **Material Object** :-

There is no M.O. marked on the prosecution side.

Dated at Tirupathur this the 18th day of March 2026.

M.K.Anusha,
Chief Judicial Magistrate,
Tirupathur.

Note :-

The result of the case is intimated to the Complainant.