IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE – I, KOTHAMANGALAM

Present:- Sri. Ganesh Kumar M.S., Judicial First Class Magistrate – I.

Dated this the 9th day of June, 2025.

C.C No.750/2021

Complainant : The State of Kerala, represented by Drugs Inspector, Office of the Assistant Drugs Controller Civil Station, Kakkanad, Ernakulam.
(By APP, Kothamangalam)

Court Fee Stamp exempted as per Notification No. D2J - 2415/2002 Dt(A) dated 26.05.2005 of Hon'ble High Court of Kerala

Accused : 1. M/s. Indiragandhi Institute of Dental Science, 8/317 F, Nellikkuzhy, Kothamangalam under Indiragandhi Memorial Trust, Nellikkuzhy P.O., Kothamangalam is a trust engaged in retails sale of drugs and is represented by Sri. K.P. Shibu.

2. K.P Shibu, Kottakkunnel House, Adooparambu P.O., Muvattupuzha, member of Indiragandhi Institute of Dental Science, Nellikkuzhy and Director of Indira Gandhi Memorial Trust, Nellikkuzhy.
(By Adv. N. Ramesh)

Offence : U/s. 27(b)(ii) of Drugs and Cosmetic Act, 1990.

Plea : Guilty.

Finding : Guilty.

J U D G M E N T

This is a case charge sheeted by the Drugs Inspector, Office of the Assistant Drugs Controller, Kakkanad against the accused alleging commission of offences punishable u/s. 118(c) r/w 27 (b) (ii) of Drugs and

Cosmetic Act.

2. **The prosecution allegation, in brief, is as follows**:- The accused being the retail firm and the license having drug license No. KL-EKM 102986/20/2023 and KL- EKM – 102987/21/2013 dated 30.09.2019 valid upto 29.09.2018 has stocked, Exhibits and conducted sale of drugs even after the expiry of the license issued to him and without renewing the same and accused exhibited stocked and conducted sale without valid license. Thus, the accused committed offence punishable U/s.18(c) of the Act punishable under section 27(b)(ii) of Act.

3. Complainant absent, represented. Accused No.2 present. Accused No.1 absent, represented. Charge for offence punishable u/s. 27 (b)(ii) of Drugs and Cosmetic Act, 1940 framed read over and explained to A2 to which he pleaded guilty for himself and on behalf of accused No.1 firm also. Hence it is accepted and he is convicted u/s. 269 (3) of BNSS, 2023. Considering the fact that the accused persons had license and failed to renew the same coupled with the facts and circumstances of the case, I am of the opinion that the lenient view with respect to the sentence can be taken. In the result,

1. Both accused are sentenced to undergo Simple imprisonment till the rising of the court and to pay fine of Rs.10,000/- each u/s. 27(b)(ii) of Drugs and Cosmetic Act, in default of payment of fine accused shall undergo simple imprisonment for a period of 10 days.

(Pronounced by me in the open court on this the 3rd day of June, 2025)

MSY

Judicial First Class Magistrate – I,
Kothamangalam.

// True Certified Copy //
By Order
Jr. Supdt
11/12/25

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OFFICE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT I, KOTHAMANGALAM

1 Copy application No. CA 928/25
2 Year and No. of Case. CC 750/21
3 Name of Applicant. Drug Inspector, Office of the Asst. drugs controller
4 No. and Date of the Application 10/12/25
5 Date of calling for Stamp papers 10/12/25
6 Date of production of Stamp papers. 10/12/25
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