

ITEM NO.49

COURT NO.16

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 11461/2023

(Arising out of impugned final judgment and order dated 08-06-2023 in CRLA No. 1103/2011 passed by the High Court of Karnataka at Bengaluru)

S SRINIVASAN & ANR.

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA

Respondent(s)

(IA No. 135542/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 135539/2023 - EXEMPTION FROM FILING O.T.)

Date : 30-10-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Sharanagouda Patil, Adv.
Mrs. Supreeta Patil, Adv.
For M/S. S-legal Associates, AOR

For Respondent(s) Mr. D. L. Chidananda, AOR

UPON hearing the counsel the Court made the following
O R D E R

Though, we are not inclined to interfere with the impugned order on merit, taking note of the submission made by the learned counsel for the petitioners that the first petitioner is about 85 years old and the second petitioner happens to be his son, working as a Sanskrit lecturer, we are inclined to invoke proviso to Section 27(b)(ii) of the Drugs and Cosmetics Act, 1940, as we find that there are adequate special reasons for the reduction of the sentence.

Accordingly, the sentence imposed for a period of one year stands modified to the effect that the petitioners shall

undergo, sentence till the rising of the trial Court.

For the aforesaid purpose, the petitioners shall be present before the concerned Court on 21.11.2023. We further make it clear that the fine imposed shall stand confirmed.

The special leave petition is disposed of accordingly.

Pending application(s), if any, also stand disposed of.

(SWETA BALODI)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)