



*In the Court of the Additional Chief Judicial Magistrate,  
Thiruvananthapuram*

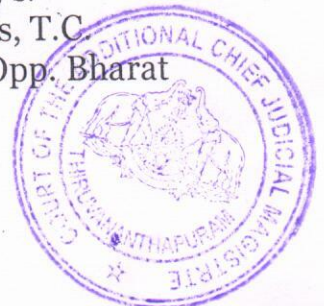
Present: Sri. SURESHT.K, B.A, LL.M  
Additional Chief Judicial Magistrate.



**Saturday the 24th day of June 2017**

**CC 930/2017**

- Complainant : Bureau of Indian Standards, represented by Sai Kumar Vedula, Scientist-C, Kochi Branch Office, II Floor, Vankarath Towers, Signal Junction, NH By-pass Road, Palarivattom, Edappally.P.O, Kochi 682024  
(By Adv. Sri. Manoj Ramaswamy)
- Accused : A1 M/s. Palliyambalam Gold and Diamonds, T.C. 14/3683, Near St.Mary's Church, Opp. Bharat Petroleum Pump, Kesavadasapuram, Pattom.P.O, Thiruvananthapuram
- A2 P.Jayachandran Pillai, Proprietor, M/s. Palliyambalam Gold and Diamonds, T.C. 14/3683, Near St.Mary's Church, Opp. Bharat Petroleum Pump, Kesavadasapuram, Pattom.P.O, Thiruvananthapuram residing at Shyla Bhavan, Thrikkannapuram, Kadakkal, Pulippari P.O, Kollam
- A3 Ajayakumar.V.G, Manager, S/o M.Gopala Krishna Menon, M/s. Palliyambalam Gold and Diamonds, T.C. 14/3683, Near St.Mary's Church, Opp. Bharat Petroleum Pump, Kesavadasapuram, Pattom.P.O, Thiruvananthapuram residing at T.C. 31/211, VRA Colony, Near Govt. ITI, Chackai, Pettah.P.O, Thiruvananthapuram
- A4 Aparna G Nair, Sales-in-charge, M/s. Palliyambalam Gold and Diamonds, T.C. 14/3683, Near St.Mary's Church, Opp. Bharat





Petroleum Pump, Kesavadasapuram,  
Pattom.P.O, Thiruvananthapuram residing at  
Keezhemulluvila Thundil Veedu, Srinivas,  
Azhankal, Kaimanom.P.O, Thiruvananthapuram

(By Adv. Sri. Chandra Babu.A)

Charge	:	Offence punishable u/s 11 r/w 33 and 34(1) of the Bureau of Indian Standards Act
Plea	:	Guilty
Finding	:	Guilty
Sentence/order	:	Accused are found guilty of the offence punishable u/s 11 r/w 33 of the BIS Act and convicted thereunder. A2 to A4 are sentenced to pay fine of ₹25,000/- each. In default of payment of fine they have to undergo simple imprisonment for 2 months for the offence u/s 11 r/w 33 of the Bureau of Indian Standards Act.



### **JUDGMENT**

1. This is a complaint case filed u/s 190 Cr.PC alleging offence punishable u/s 11 r/w 33 and 34(1) of Bureau of Indian Standards Act.
2. Complainant's case in brief is as follows: Complainant is the Scientist – C, Bureau of Indian Standards, Kochi who has been duly authorised to file the complaint. A1 is the establishment by name 'Palliyambalam Gold and Diamonds'. A2 is the proprietor, A3 is the Manager and A4 is the person who is the sales- in -charge of A1 firm. On the basis of a secret information, the complainant and team members conducted a search in the premises of the 1st accused on 17/05/2017, 2593.22 gms of spuriously BIS Hallmarked Gold Jewellery comprising 391 pieces were seized from the premises of A1. Thereby they have contravened section 11 of the BIS Act which is punishable u/s 33 of the Act.

**The Director & Head,**  
Bureau of Indian Standards,  
Kochi.

KIND ATTENTION: SRI.K.KATHIRVEL, Scientist-F & Head

Sir,

Sub: - Judgment dated 24.06.2017 in C.C.No.930 of 2017 filed by Bureau of Indian Standards against M/s Palliyambalam gold & Diamonds & others before the Hon'ble Additional Chief Judicial Magistrate Court, Thiruvananthapuram-reg.

As informed, the above case was advanced by the Hon'ble Court and finally heard on 24.06.2017 and the accused Nos. 2 to 4 are sentenced to pay fine of Rs.25,000/- each. In default of payment of fine they have to undergo simple imprisonment for 2 months for the offence u/s 11 r/w 33 of the Bureau of Indian Standards Act. The court further ordered to return the properties to the establishment.

I am enclosing herewith the certified copy of the judgment dated 24.06.2017 in C.C.No.930 of 2017.

I am also enclosing herewith the professional bill as legal charges for the conduct of the above case on various dates.

This is for your information and necessary action.

Thanking you,

Yours faithfully,

**MANOJ RAMASWAMY**  
Advocate

Encl: 1.Certified copy of the judgment dated 24.06.2017 in C.C.No. 930 of 2017  
2. Professional bill

**Office:**

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3. After a preliminary inquiry the court has taken cognizance of the offence punishable u/s 11 r/w 33 of the Bureau of Indian Standards Act taken as CC 930/2017. A1 is the establishment represented by A2. A2 to A4 entered appearance and filed CMP 3020/2017 for pleading guilty to the charge. Copies of all relevant records produced by the complainant were furnished to the accused. Particulars of offence u/s 11 r/w 33 of BIS Act read over and explained to accused to which they pleaded guilty. Court satisfied that the plea of guilty is voluntary in nature. Hence accepted the admission.
4. Heard the counsel for the complainant and accused.
5. In the result, accused are found guilty of the offence punishable u/s 11 r/w 33 of the BIS Act and convicted thereunder. I am satisfied that this is not a fit case to invoke the benevolent provisions of Probation of Offenders Act. Considering the nature and surrounding circumstances, I am inclined to show some amount of leniency to the accused. Hence, A2 to A4 are sentenced to pay fine of ₹25,000/- each. In default of payment of fine they have to undergo simple imprisonment for 2 months for the offence u/s 11 r/w 33 of the Bureau of Indian Standards Act. Since they are first time offenders court ordered to return the properties to the establishment. Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court on 24th day of June 2017.



**SURESH.T.K**  
**Additional Chief Judicial Magistrate**  
**Thiruvananthapuram.**

*Photocopy.*

By Order of the Court

*[Signature]*  
30/6/17  
Junior Superintendent

addl. Chief Judl. Magistrate Court  
Thiruvananthapuram