

# The Food Safety Officer, Thiruvalla ... vs Biju P Nair on 7 August, 2024

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE C.S. SUDHA

Wednesday, the 7th day of August 2024 / 16th Sravana, 1946

CRL.M.APPL.NO.1/2024 IN CRL.A NO. 666 OF 2024

APPLICANT/APPELLANT/COMPLAINANT:

THE FOOD SAFETY OFFICER, REVENUE TOWER, THIRUVALLA, PATHANAMTHITTA DISTRICT, PIN 689101 REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031

RESPONDENTS/RESPONDENTS/ACCUSED:

1. BIJU P NAIR JOLLY FOOD PRODUCTS, KADAPRA, NIRANAM PO, THIRUVALLA. PATHANAMTHITTA, PIN - 689621
2. JOLLY EAPPAN JOLLY FOOD PRODUCTS, KADAPRA, NIRANAM PO, THIRUVALLA. PATHANAMTHITTA, PIN - 689621
3. RAJAN MK BAKERS, 41/1430 B, CHAITHANYA BUILDING, KRISHNASWAMI ROAD, PULLEPPADY, ERNAKULAM, PIN - 682035
4. BAKERS BAKERS, 41/1430 B, CHAITHANYA BUILDING, KRISHNASWAMI ROAD, PULLEPPADY, ERNAKULAM REPRESENTED BY THIRD RESPONDENT, PIN - 682035
5. KHADARVALLI NAGUR M/S K.B CORPORATION, 12/266 A, HALWA BAZAR, CALICUT, PIN - 673001

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to condone the delay of 155 days in filing the above criminal appeal.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of PUBLIC PROSECUTOR for the petitioner and of ANOOP.V. NAIR, TANOOSHA PAUL, ROHITH C., AVANTHIKA R., Advocates for the respondent nos 1 to 4, the court passed the following:

C.S.SUDHA, J.

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Crl.M.Appl. No.1 of 2024

in

Crl. Appeal No.666 of 2024  
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Dated this the 7th day of August 2024

ORDER

This application has been filed by the appellant, who is the Food Safety Officer, Thiruvalla, for condoning the delay of 155 days in filing the appeal. It is averred in the affidavit that the delay occurred due to administrative exigencies. The application is seriously opposed by the learned counsel appearing for the respondents on the ground that no sufficient reasons are shown in the affidavit for condoning the delay. However, as the offence alleged to have been committed is under

the Food Safety and Standards Act, 2006, and in the interest of justice, the delay is condoned.

For admission, post on 14/08/2024.

Sd/-

C.S.SUDHA JUDGE NP 07-08-2024 /True Copy/ Assistant Registrar