

IN TH E SUP R E M E COUR T OF INDI A
CRI M I N A L AP P E L L A T E JU R I S I D C I T O N
CRI M I N A L AP P E A L NO. 74 0 OF 1 9 9 9

P E R F E T T I INDI A LT D. & ANOT H E R ...
AP P E L L A N T S

VE R S U S

TH E FOOD INS P E C T O R & ANOT H E R ...
RES POND E N T S

OR D E R

1. This appeal is directed against the judgment dated
29.10.1998 passed by the High Court of Kerala at Ernakulam
in Criminal Misc. Case NO. 164 of 1998.

2. The brief facts which are necessary for disposal of the
present appeal are as under:

The first respondent- Food Inspector, Kottayam
Municipality filed a complaint against the four accused
including the appellants before the Chief Judicial Magistrate's
Court, Kottayam alleging commission of offences punishable
under Sections 2(1a)(m), 7(i), 16(1)(a)(i), 17(1)(a)(ii)(b) and
Appendix B.A.25.02.01 of the Prevention of Food Adulteration
Act alleging that the appellant No.1 sold the food article
"Centre Fresh Liquid Filled Chewing Gum" to the first
respondent which was found to be adulterated as it did not
conform to the standard prescribed under the Prevention of
Food Adulteration Rules and the

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appellants and other accused are responsible to sell the
adulterated food article. Learned Chief Judicial Magistrate
took cognizance of the offences and issued summons to the
appellants and other accused to appear before the Court.
Thereafter, the appellants filed a petition under Section 482 of
Code of Criminal Procedure before the High Court to quash the
proceedings against them.

P E R F E T T I I N D I A L T D . & A N R

Appellant (s)

VER SUS

T H E F O O D I N S P E C T O R & A N R

Respondent(s)

(With prayer for interim relief and office report)

Date: 18 / 11 / 2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUS T I C E D A L V E E R B H A N D A R I

HON'BLE MR. JUS T I C E H A R J I T S I N G H B E D I

For Appellant(s) Mr. Sudhir Chandr a, Sr. Adv.

Mr. A.V. Ranga m, Adv.

Mr. Buddy A. Rangan ath a n, Adv.

Mr. B. P . P adhy, Adv.

For Respondent(s)

Mr. C.N. Sreeku m a r , Adv.

Mr. T.G.N. Nair, Adv.

Mr. K.N. Madhusoodhan a n, Adv.

State of Keral a

Mr. G.P r a k a s h , Adv.

Mr. Ra mes h Babu M.R.,Adv.

UPON hearing counsel the Court made the following

OR D E R

The appeal stands disposed of in terms of signed
order.

(Pardeep Ku m a r)
Court Master

(Neeru Bal a Vij)
Court Master

[SIGN E D ORD E R IS P L A C E D ON TH E FI L E]