

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT**

THE HONOURABLE MR.JUSTICE V.G.ARUN

Thursday, the 3rd day of April 2025 / 13th Chaithra, 1947

CRL.M.APPL.NO.1/2025 IN CRL.MC NO. 3242 OF 2025

CRIME NO.0/0 OF ,

**ST 1547/2024 OF JUDICIAL MAGISTRATE OF FIRST CLASS -II,PALAKKAD, PALAKKAD
PETITIONER:**

- 1. DIVYA PHARMACY, DIVYA YOGA MANDIR TRUST (R) PLOT NO. A1, INDUSTRIAL AREA, HARIDWAR – , UTTARAKHAND, PIN - 249404**
- 2. SWAMI RAMDEV, AGED 59 YEARS R/O 41 KH, DADU BAGH KANKHAL, HARIDWAR – 249408, UTTARAKHAND, INDIA UTTARAKHAND REPRESENTED BY HIS GENERAL POWER OF ATTORNEY HOLDER MR. AMIT THAREJA, AGED 44 YEARS, S/O MR. SOMNATH, RESIDING AT PATANJALI FOOD & HERBAL PARK, VILLAGE PADARTHA, LAKSAR ROAD, HARIDWAR 249404 UTTARAKHAND, PIN - 249404**
- 3. ACHARYA BALAKRISHNA, AGED 52 YEARS S/O SWAMI SHANKAR DEV R/O 41 KH, DADU BAGH KANKHAL, HARIDWAR – 249408, UTTARAKHAND, INDIA UTTARAKHAND REPRESENTED BY HIS GENERAL POWER OF ATTORNEY HOLDER MR. AMIT THAREJA, AGED 44 YEARS, S/O MR. SOMNATH, RESIDING AT PATANJALI FOOD & HERBAL PARK, VILLAGE PADARTHA, LAKSAR ROAD, HARIDWAR UTTARAKHAND, PIN - 249404**

RESPONDENT:

- 1. THE DRUG INSPECTOR, OFFICE OF THE DRUG INSPECTOR, PALAKKAD, KERALA, PINCODE ., PIN - 678001**
- 2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF KERALA,, PIN - 682031**

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to stay all further proceedings in ST 1547 of 2024 on the files of Judicial First-Class Magistrate Court – II, Palakkad pending disposal of the above case in the interest of justice.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of CYRIAC TOM, S.SHIV SHANKAR, B.ANANTHU, Advocates for the petitioners, the court passed the following:

ORDER

There appears to be prima facie merit in the submission of the learned Senior counsel that going by Section 3(d) read along with Section 7 of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, as well as Section 550 of the BNSS, 2023, the cognisance of the offence is taken beyond the period of limitation. Hence, there shall be an interim stay of further proceedings in ST No.1547 of 2024 on the files of the Judicial Magistrate of First Class – II, Palakkad, for three months.

Sd/- **V.G.ARUN** JUDGE

