

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

Crl.L.P.No. 376 of 2015

**AGAINST THE JUDGMENT IN CC 11/2007 OF SPECIAL JUDGES COURT
(SPE/CBI-II, ERNAKULAM DATED 31-12-2014)**

PETITIONER/COMPLAINANT :-

STATE REPRESENTED BY CBI, SPE, KERALA.

BY ADV. SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

RESPONDENTS (ACCUSED NO. 1 & 2) :-

- 1. T. KARUNAKARAN,
S/O. LATE K.VASU, "PRANAVAM",
CHEDICAL, PAYANGADI P.O.,
KANNUR - 670 303.**
- 2. C. BALAN, S/O. LATE C.KANNAN,
RESIDENT OF PII/4, P&T QUARTERS,
KAZANAKOTTA, THANA, KANNUR-670012.**

**R1 & R2 BY ADVS. SRI.K.P.RAJEEVAN
SRI.P.V.KURIACHAN**

**THIS CRIMINAL LEAVE PETITION HAVING BEEN FINALLY HEARD
ON 21-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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P.UBAID, J.

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Crl.L.P.No.376 of 2015

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Dated this the 21st day of October, 2015

ORDER

Heard.

2. The petitioner has a genuine grievance to be heard in appeal regarding the findings of the court below on the material questions of demand and acceptance. The grievance is regarding appreciation of evidence, that it was not properly and legally appreciated by the trial court in the correct perspective. This grievance will have to be heard, and decided in the appeal. Hence, the petition is allowed. The petitioner is granted leave to file appeal against the judgment of acquittal of the Special Court, CBI II, Ernakulam in C.C.No.11 of 2007.

rkj

//TRUE COPY//

P.A. TO JUDGE

Sd/-

**P.UBAID
JUDGE**