

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Crl.MC.No. 2450 of 2015

**CRIME NO. 11/2015 OF THE VIGILANCE AND ANTI CORRUPTION BUREAU,
THRISSUR**

PETITIONER/ACCUSED:

**MURSHID JANNATH RAJ.M, AGED 53 YEARS,
S/O.MUSTHAFA MUHAMMED M, MUSALIYARU PRAMBIL HOUSE,
PAIDYAR P.O, MUTTCHUR,
THRISSUR-680 641 PRESENTLY WORKING AS AGRICULTURAL OFFICER
KRISHI BHAVAN, VADANAPALLY, THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENTS/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF EKRALA,
ERNAKULAM.**
- 2. KANEESH C.S,
S/O.SUDHAKARAN C.K, CHAKKANTHARA HOUSE,
THRITHALLUR WEST P.O, THRISSUR 680 619.**

R1 BY PUBLIC PROSECUTOR SMT.SAREENA

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 06-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE A: TRUE COPY OF THE FIR IN CRIME NO.11/2015/TSR REGISTERED BY THE VIGILANCE AND ANTICORRUPTION BEREAU

ANNEXURE B: TRUE COPY OF THE TENDER NOTIFICATION PUBLISHED BY THE PETITIONER IN THE MATHRUBHOOMI DAILY

ANNEXURE C: TRUE COPY OF THE QUOTATION SUBMITTED BY THE CHITTUR AGRICULTURAL CO-OP. MARKETING SOCIETY DTD.25/1/13

ANNEXURE D: TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO CHITTUR AGRICULTURAL CO-OP.MARKETING SOCIETY TD.28/1/13

ANNEXURE E: TRUE COPY OF THE QUOTATION SUBMITTED BY THE PERINTHALMANNA TALUK RUBBER MARKETING CO-OPERATIVE SOCIETY LTD.DTD.25/1/13

ANNEXURE F: TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE PERINTHALMANNA TALUK RUBBER MARKETING CO-OP.SOCIETY LTD. DT.28/1/13

ANNEXURE G: TRUE COPY OF THE QUOTATION SUBMITTED BY THE AREACODE BLOCK RUBBER & AGRICULTURAL MARKEING & PROCESSING CO-OPERATIVE SOCIETY LTD.DTD.25/1/13

ANNEXURE H: TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE AREACODE BLOCK RUBBER & AGRICULTURAL MARKEING & PROCESSING CO-OPERATIVE SOCIETY LTD.DTD.28/1/13

ANNEXURE I: TRUE COPY OF THE QUOTATION SUBMITTED BY THE REGIONAL AGRO-INDUSTRIAL DEVELOPMENT CO-OPERATIVE OF KERALA LTD. DT.25/1/13

ANNEXURE J: TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE REGIONAL AGRO-INDUSTRIAL DEVELOPMENT CO-OPERATIVE OF KERALA LTD. DT.28/1/13

ANNEXURE K: TRUE COPY OF THE QUOTATION SUBMITTED BY THE TRUCHUR WHOLESALE CO-OP.CONSUMER'S STORES LTD.,NO.R.299, DTD.25/1/13

ANNEXURE L: TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE REGIONAL AGRO-INDUSTRIAL DEVELOPMENT CO-OPERATIVE OF KERALA LTD. DT.23/7/11

Crl.MC.No. 2450 of 2015

**ANNEXURE M: TRUE COPY OF THE QUOTATION SUBMITTED BY THE TRUCHUR
DISTRICT MALAYA VIPANANAN THOZHILALI SAHAKARANA SANGHAM
LTD.NO.R.933, DT.23/7/11**

**ANNEXURE N: TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE
TRUCHUR DISTRICT MALAYA VIPANANAN THOZHILALI SAHAKARANA
SANGHAM LTD.NO.R.933, DT.23/7/11 DT.28/1/13**

**ANNEXURE O: TRUE COPY OF THE MINUTES OF THE MEETING OF THE
PROCUREMENT JNT COMMITTEE DTD.29/1/13.**

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

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Crl.M.C. No.2450 of 2015 G
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Dated this the 6th day of October, 2015

ORDER

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What is under challenge is Annexure-A First Information Report in Crime No.VC.11/2015/TSR of the Vigilance and Anti Corruption Bureau. The allegation against the petitioner is that while he was working as the Agricultural Officer, Vadanappally, by way of implementing the purchase and disbursement of bio fertilisers to farmers under the People's Planning Scheme during the financial year 2012-2013, he has caused pecuniary loss to the government to the tune of ₹2,30,951.50 by awarding the contract to the Thrissur District Malsya Vipanana Thozhilali Sahakarana Sangham Limited No.R.933, overlooking the tenders submitted by the Areacode Block Rubber and Agricultural Marketing and Processing Co-operative Society Limited and some other institutions, quoting lesser amounts.

2. According to the learned counsel for the petitioner, the Areacode Block Rubber and Agricultural Marketing and Processing Co-operative Society Limited was asked to submit a report from the Krishi Bhavan in respect of the products; but, they have failed to do it. It was on that ground that the tender submitted by them was rejected.

3. Those matters are based on evidence to be tendered in the matter. The present stage is too premature to conclude with regard to the merits or otherwise of the allegations against the petitioner. The investigation has to go on. On the completion of the investigation, in case of any further grievance, it is open to the petitioner to challenge the final report.

With the said liberty to the petitioner, this CrI.M.C. is closed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/06/10

// True Copy //

PA to Judge