

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Crl.MC.No. 2858 of 2015 ()

RC04(S)/2012/CBI/SCB/TVPM CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM.

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PETITIONER/DEFACTO COMPLAINANT:

**K.R. GEETHA,
VRINDAVANAM, VALAKAM MURI, ARAKKAL VILLAGE,
PATHANAPURAM TALUK, KOLLAM.**

**BY ADVS.SRI.SHABU SREEDHARAN,
SRI.S.VIJAYAN,
SRI.N.MUHAMMAD SAJU,
SRI.C.PAULOSE,
SRI.SREEDHARAN KARATTA,
SMT.RESHMA ABDUL RASHEED.**

RESPONDENTS/COMPLAINANT & STATE:

- 1. ADDITIONAL SUPERINTENDENT OF POLICE,
CBI, SCB, THIRUVANANTHAPURAM-695 003.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

**R1 BY ADV. SRI.P.CHANDRASEKHARA PILLAI, SC, C.B.I.
R2 BY PUBLIC PROSECUTOR SRI.C.K. JAYAKUMAR.**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE 1 COPY OF THE FINAL REPORT IN RC04(S)/2012/CBI/SCB/TVPM
DATED 19/02/2015.**

**ANNEXURE 2 COPY OF THE CRL.MP. NO.2213/2015 IN RC04(S)/2012/CBI/SCB/
TVPM BEFORE THE CJM COURT, ERNAKULAM
DATED 16/04/2015.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

P.UBAID, J.

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**Crl.M.C No.2858 of 2015**

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Dated this the 15th day of May, 2015

ORDER

The petitioner herein is aggrieved by the final report submitted by the CBI, referring the Crime No.RC04(S) 2012/CBI/SCB/TVPM. She seeks a direction to the 1st respondent (Additional Superintendent of Police, CBI,SCB) to produce the 46 documents mentioned in the final report before the Chief Judicial Magistrate Court. Such a request cannot be now entertained by this Court under Section 482 Cr.P.C. The de facto complainant can very well appear before the learned Chief Judicial Magistrate and file objection to the final report submitted by the CBI. It is for the Chief Judicial Magistrate to decide whether those documents will have to be called for and perused, for taking a decision on the final report submitted by the CBI. The petitioner or the complainant can very well request the Chief Judicial Magistrate to call for those documents for consideration in the process of taking decision on the final report submitted by the CBI referring the crime. Thus, the learned Chief Judicial Magistrate has to take a decision first on the

final report. This is not the stage for this Court to interfere under Section 482 Cr.P.C.

2. Giving liberty to the petitioner or the de facto complainant to make necessary request before the Chief Judicial Magistrate, Ernakulam objecting the final report submitted by the CBI, this Crl.M.C is closed. If the final report is based on documents and other materials, those documents and materials can be perused by the Court before taking a decision to accept or not to accept the final report.

Sd/-

**P.UBAID
JUDGE**

vdv