

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Cr1.MC.No. 4983 of 2013 ()

PETITIONER/ACCUSED:

KALLUNGAL ASHARAF, AGED 39 YEARS, S/o.V.P.ABDULLA HAJI,
NO.59, M.C.RIVER SIDE ENCLAVE, KUYVALI
THALASSERY, KANNUR DISTRICT.

BY ADV. SRI.M.AJAY

RESPONDENTS:

1. THE UNION OF INDIA
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
MINISTRY OF HOME, NEW DELHI - 110 001.

2. THE SUPERINTENDENT OF CUSTOMS,
RUMMAGE AND INTELLIGENCE DIVISION, WILLINGDON ISLAND
COCHIN - 682 004.

* ADDL. R3. THE COMMISSIONER OF CUSTOMS (PREVENTIVE),
CATHOLIC CENTRE, BROADWAY, ERNAKULAM - 682 031.

R4. THE CENTRAL BUREAU OF INVESTIGATION
(REPRESENTED BY ITS DIRECTOR)
NATIONAL CENTRAL BUREAU [INTERPOL]
PLOT NO.5-B, 6TH FLOOR, A-WING,
CGO COMPLEX, LODHI ROAD, NEW DELHI - 110 003.

R5. THE SUPERINTENDENT OF POLICE, CENTRAL
BUREAU OF INVESTIGATION, ANTI CORRUPTION BRANCH,
CHOCHIN, CBI OFFICE, KATHRIKADAVU,
KALOOR.P.O., KERALA - 682 010.

R6. THE SECRETARY TO THE GOVERNMENT OF INDIA,
MINISTRY OF EXTERNAL AFFAIRS, SOUTH BLOCK
NEW DELHI - 110 021.

R7. THE CONSUL GENERAL OF INDIA, CONSULATE
GENERAL OF INDIA, 8TH STREET, UMM HURAIR I,
DUBAI, UNITED ARAB EMIRATES.

R8. THE REGIONAL PASSPORT OFFICER, REGIONAL
PASSPORT OFFICE, KOZHIKODE, ERANHIPALAM.P.O.,
KOZHIKODE - 673 006.

R9. THE BUREAU OF IMMIGRATION, COCHIN INTERNATIONAL
AIRPORT LIMITED, [REPRESENTED BY ITS ASST.DIRECTOR/
PORT REGISTRATION OFFICER], AIRLINES BUILDINGS,
COCHIN AIRPORT P.O., COCHIN - 683 111.

* ADDITIONAL RESPONDENTS 3 TO 9 ARE IMPEADED AS PER ORDER DATED
19.10.2015 IN CRL.M.A.NO.10036/2015.

R2 BY ADV. SRI.JOHN VARGHESE,SC.
R4 BY ADV. SRI.P.CHANDRASEKHARA PILLAI, C.B.I.
R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
BY ADV. SRI.P.PARAMESWARAN NAIR,ASG OF INDIA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
16-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' ANNEXURES :

ANNEXURE A: TRUE COPY OF THE REPORT SUBMITTED BY THE INVESTIGATING OFFICER BEFORE THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE'S COURT (E.O), ERNAKULAM IN OS.NO.14/2013 DATED 26/9/2013 ON THE BAIL APPLICATION SUBMITTED BY THE ACCUSED NO.4 - FAYAS.

[ANNUEXRE A. A TRUE COPY OF THE PRINTOUT FROM THE WEBSITE OF BLS INTERNATIONAL SHOWING THE PETITIONER'S PASSPORT AS UNDER PROCESS]

ANNEXURE B: TRUE COPY OF THE APPLICATION SUBMITTED BY THE INSPECTOR OF POLICE, CBI BEFORE THE SPECIAL JUDGE -II, C.B.I. COURT II, ERNAKULAM DATED 9/10/2013.

[ANNEXURE B. A TRUE COPY OF THE LETTER SENT BY THE REGIONAL PASSPORT OFFICER, KOZHIKODE TO THE PETITIONER DATED 30.03.2015]

ANNEXURE C: TRUE COPY OF THE G.S.R.(E) OF THE MINISTRY OF EXTERNAL AFFAIRS DATED 20/7/2000.

[ANNEXURE C. A TRUE COPY OF THE LETTER SENT BY THE REGIONAL PASSPORT OFFICER, KOZHIKODE TO THE PETITIONER DATED 17.4.2015 REVOKING HIS PASSPORT.]

ANNEXURE D. A TRUE COPY OF THE RECEIPT ISSUED BY BLS INTERNATIONAL ON 4.6.2015 ON THE PETITIONER APPLYING FOR ISSUING AN EMERGENCY CERTIFICATE.

ANNEXURE E. A TRUE COPY OF THE AIR TICKET OF EMIRATES ON EK522 FROM DUBAI TO TRIVANDRUM ISSUED TO THE PETITIONER FOR TRAVEL ON 29.6.2015.

ANNEXURE F. A TRUE COPY OF THE BOARDING PASS ISSUED TO THE PETITIONER FOR EMIRATES FLIGHT EK522 ON 29.6.2015.

ANNEXURE G. A TRUE COPY OF THE COMPLAINT FILED BY THE WIFE OF THE PETITIONER BEFORE THE DISTRICT POLICE CHIEF, KANNUR ON 26.8.2015.

ANNEXURE H. A TRUE COPY OF THE RED NOTICE ISSUED BY THE INTERPOL FOR THE ARREST OF THE PETITIONER AT THE BEHEST OF RESPONDENTS FOUR AND FIVE.

RESPONDENT(S) ' ANNEXURES : NIL

//True copy//

P.A to Judge

stu

B.KEMAL PASHA, J.

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Crl.M.C. No. 4983 of 2013

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Dated this the 16th day of November, 2015

ORDER

The learned counsel for the petitioner submits that the petitioner is coming tonight. The copy of the air ticket has also been produced. The copy is handed over to the learned Standing Counsel for the CBI. The matter stands closed.

Sd/-

B.KEMAL PASHA, JUDGE

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