

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

Cr1.MC.No. 6864 of 2015 ()

CRIME NO. 923/2015 OF ERNAKULAM CENTRAL POLICE STATION,
ERNAKULAM

PETITIONER:

A.J.RAJAN, IAS (RETIRED)
SECRETARY, KERALA CHAMBER OF COMMERCE AND INDUSTRY,
FORESHORE ROAD, ERNAKULAM.

BY ADVS.SRI.N.NANDAKUMARA MENON (SR.)
SRI.P.K.MANOJKUMAR
SMT.SMITHA S.PILLAI

RESPONDENTS:

1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, 682031.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, ERNAKULAM, 682018.

3. SRI.M.K.ANSARI
MANAGING PARTNER, TAP WORLD, KUNHALUS PLACE,
P.T.USHA ROAD, COCHIN-682011.

4. KERALA CHAMBER OF COMMERCE AND INDUSTRY,
REGISTERED OFFICE AT CHAMBER CORNER, FORESHORE ROAD,
COCHIN-682031, REPRESENTED BY ITS SECRETARY.

R1 & R2 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE
R3 BY ADVS. SRI.C.S.AJITH PRAKASH
SRI.PAUL C THOMAS

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE-1: COPY OF THE TRUE EXTRACT OF THE MINUTES OF THE MEETING NO.12/2011-2012 OF THE BOARD OF DIRECTORS OF THE KCCI, DATED 11.10.2012.

ANNEXURE-2: COPY OF THE MINUTES OF THE MEETING NO.13/2011-2012 OF THE BOARD ROOM OF THE CHAMBER DATED 8.11.2012.

ANNEXURE-3: COPY OF THE MINUTES OF THE 55TH ANNUAL GENERAL BODY MEETING OF THE KCCI, DATED 29.12.2012, AT THE CHAMBER HALL.

ANNEXURE-4: COPY OF THE E.MAIL SENT BY THE THIRD RESPONDENT DATED 15.7.2013 AT 2.23 PM V NOW IS 'ON AIR' NOW.

ANNEXURE-5: COPY OF THE COMPLAINT FILED BY THE THRID RESPONDENT BEFORE THE HON'BLE MINISTER FOR HOME AFFAIRS, KERALA STATE, DATED 29.12.2014.

ANNEXURE-A6: COPY OF THE REPLY DATED 21.1.2015 SUBMITTED BY THE K.N.MARZOOK, DIRECTOR, TO THE ASSISTANT COMMISSIONER OF POLICE, NARCOTIC CELL, KOCHI CITY.

ANNEXURE-7: COPY OF THE REPORT NO.01/PTN/NC/15-EC DATED 2.3.2015 SUBMITTED BY THE ASSISTANT COMMISSIONER, NARCOTIC CELL, KOCHI, TO THE INSPECTOR GENERAL OF POLICE, ERNAKULAM RANGE.

ANNEXURE-8: COPY OF THE REPORT NO.01/PTN/NC/15-EC DATED 13.5.2015 SUBMITTED BY THE ASSISTANT COMMISSIONER, NARCOTIC CELL, KOCHI, TO THE INSPECTOR GENERAL OF POLICE, KOCHI RANGE, KOCHI.

ANNEXURE-9: COPY OF THE FIR REGISTERED AGAINST THE PETITIONER AND THE OTHER MEMBERS OF THE BOARD OF DIRECTORS OF THE KCCI, NO.0923 DATED 22.5.2015 PASSED BY THE HON'BLE COURT OF CHIEF JUDICIAL MAGISTRATE, ERNAKULAM.

ANNEXURE-10: COPY OF THE ONE SUCH NEWS ITEM THAT APPEARED IN THE MALAYALAM DAILY 'JENMABHOOMI' IN ITS ISSUE DATED 6.6.2015.

ANNEXURE-11: COPY OF THE ACCOUNTS REGARDING THE FUND TRANSFER BY THE KCCI TO THE INDIA MIDDLE EAST BROAD CASTING NET WORK (P) LIMITED FOR THE PERIOD 2012-2015.

RESPONDENTS' ANNEXURES:

ANNEXURE-R3(A): COPY OF THE MEMORANDUM OF ASSOCIATION OF THE KCCI.

ANNEXURE-R3(B): COPY OF THE ARTICLES OF ASSOCIATION OF THE KCCI.

ANNEXURE-R3(C): COPY OF THE CERTIFICATE ISSUED BY THE CENTRAL GOVERNMENT TO THE KCCI.

ANNEXURE-R3(D): COPY OF THE STATEMENT SHOWING THE FUND TRANSFER FROM KERALA TRADE CENTRE, A JOINT VENTURE PROJECT OF THE KCCI.

ANNEXURE-R3(E): COPY OF THE EMAIL COMMUNICATION DATED 06.02.2014.

ANNEXURE-R3(F): COPY OF THE EMAIL COMMUNICATION DATED 12.02.2014 SENT BY THE 3RD RESPONDENT.

ANNEXURE-R3(G): COPY OF THE EMAIL COMMUNICATION SENT BY THE 3RD RESPONDENT DATED 10.04.2014.

ANNEXURE-R3(H): COPY OF THE EMAIL COMMUNICATION SENT BY THE 3RD RESPONDENT DATED 30.04.2014.

ANNEXURE-R3(I): COPY OF THE REPRESENTATION DATED 08.05.2012.

ANNEXURE-R3(J): COPY OF THE ORDER IN I.A.3991 OF 2014 IN O.S.NO.774/2014.

ANNEXURE-R3(K): COPY OF THE REJOINDER FILED BY THE 3RD RESPONDENT.

ANNEXURE-R3(L): COPY OF THE ORDER IN THE ANTICIPATORY BAIL APPLICATION FILED BY THE PETITIONER NO.B A NO.3539/2015.

ANNEXURE-R3(M): TRUE MINUTES OF KCCI LADIES FORUM MEETING DATED 10.04.2014.

ANNEXURE-R3(N): COPY OF THE LETTER DATED 05.05.2015.

Cr1.MC.No. 6864 of 2015 ()

ANNEXURE-R3(O): COPY OF THE STATEMENT FILED IN W.P.(C)
19798/2015.

ANNEXURE-R3(P): COPY OF THE JUDGMENT DATED 7.10.2015 IN W.P.
(C)NO.19798/2015.

// True Copy //

P.A. To Judge

DSV/24/11/15

B. KEMAL PASHA, J.

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CRL.M.C. No. 6864 of 2015
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Dated this the 23th day of November, 2015

ORDER

Heard the learned Senior Counsel for the petitioner, learned counsel for the 3rd respondent and the learned Public Prosecutor.

2. Through the learned Public Prosecutor, this court has directed the investigating officer to expedite the investigation. Presently, the learned Public Prosecutor submits that the investigating officer requires four months' time for completing the investigation. By directing the investigating officer to complete the investigation and file the final report within four months, this Crl.M.C is disposed of.

It is made clear that the petitioner, in case of any further grievance, can approach this Court again. It is

further made further clear that this Court has not entered any finding or observation on the merits or otherwise of the matter, and all the matters are left open.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge