

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 2674 of 2015 (H)

PETITIONER:

RAMESH KURUP, AGED 52 YEARS,
S/O.BRIG, K.P.G.GROUP, PROPRIETOR,
AZTEC MARKETING, 84, PENTA MENAKA, COCHIN-3
R/O. 3D, AMBER PARK, CANON SHED ROAD,
COCHIN-11.

BY ADVS.SRI.S.SREEKUMAR (SR.)
SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA

RESPONDENT:

CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY ITS STANDING CONSEL,
HIGH COURT OF KERALA,
ERNAKULAM-682 031.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 2674 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE BILL NO.1674 DATED 21/1/2005 FOR RS.27,000/-.

EXT.P2. COPY OF THE BILL NO.1675 DATED 21/1/2015 FOR RS.6,850/-.

EXT.P3. COPY OF STATEMENT OF THE PETITIONER RECORDED U/S.161
CR.P.C

EXT.P4. COPY OF SUMMONS ISSUED BY THE COURT OF SESSIONS AND
SPECIAL JUDGE FOR CBI CASES, LAKSHADWEEP IN CC NO.1/2010.

RESPONDENT' EXHIBITS

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

W.P(C) No.2674 of 2015

Dated this the 13th day of February, 2015

J U D G M E N T

The writ petitioner herein is one of the witnesses in C.C No.1/2010 before the Sessions Court, Kavarathi. He has received summons from the court to appear as a witness. Being a resident of the main land having some other problems also he finds it difficult to attend the Court at Kavarathi. Accordingly, he seeks a direction to the prosecution to arrange proper conveyance, or to have the case tried at the camp sitting at Kozhikode. As required by the Court the learned Sessions Judge submitted a report on 5.2.2015. This report shows that trial now stands scheduled to two different dates. The learned Sessions Judge has already examined 11 out of the 18 witnesses cited by the prosecution, and for the examination of the remaining witnesses the trial stands scheduled from 10.3.2015 to 13.3.2015. The learned trial judge has also reported that many of the witnesses are from the main land. On getting communication from this Court the learned trial judge directed the learned Public Prosecutor for the CBI to sort out the witnesses from the main land and the island and required to

report whether trial in part could be conducted at the camp sitting at Kozhikode for the examination of the witnesses from the main land. The learned Public Prosecutor accordingly submitted a list of witnesses and reported that examination of the material witnesses from the main land could be done at the camp sitting at Kozhikode, and that the CBI will make necessary arrangements. The learned trial judge has also reported that he has no objection in examining the main land witnesses at the camp sitting at Kozhikode, and if so required, the trial can be rescheduled. In the above situation, a positive direction to the prosecution as requested by the petitioner is not necessary to arrange conveyance. The learned trial judge can reschedule the trial, and examine the main land witnesses, including the petitioner herein at the camp sitting at Kozhikode.

Accordingly, this writ petition is closed, recording the report of the learned trial judge that trial of the case can be rescheduled and the witnesses from the main land including the petitioner herein can be examined at the camp sitting at Kozhikode.

**P.UBAID
JUDGE**

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