

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 31038 of 2013 (D)

PETITIONER:

NAJMAL BABU, S/O.ABDUL P.,AGED 36 YEARS,
EDODIPARAMBIL HOUSE, CHERUVANNUR,
KOLATHARA P.O., KOZHIKODE - 673 655.

BY ADVS.DR.V.N.SANKARJEE
SRI.VICTOR ANTONY NOONE

RESPONDENTS:

1. THE UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO MINISTRY OF
HOME AFFAIRS, NORTH BLOCK, NEW DELHI - 110 001.
2. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
3. THE DIRECTOR,
CENTRAL BUREAU OF INVESTIGATION,
HEAD OFFICE, NEW DELHI - 110 001
4. THE JOINT DIRECTOR,
CENTRAL BUREAU OF INVESTIGATION, CHENNAI - 600 001.
5. THE SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION, KATHRIKADAVU,
KOCHI - 682 017.
6. THE CHAIRMAN,
SECURITIES AND EXCHANGE BOARD OF INDIA, PLOT NO.C4-A,
G-BLCOK, BANDRA, KURLA COMPLEX, BANDRA EAST,
MUMBAI - 400 051.
7. THE REGIONAL MANAGER,
SECURITIES AND EXCHANGE BOARD OF INDIA,
SOUTHERN REGIONAL OFFICE, 3RD FLOOR,
D'MONTE BUILDING 32, D'MONTE COLONY, T.T.K.ROAD,
ALWARPET, CHENNAI - 600 018.

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8. THE MANAGER,
SECURITIES AND EXCHANGE BOARD OF INDIA,
6TH FLOOR, FINANCE TOWER,
KALOOR, KOCHI - 682 017.
9. THE DIRECTOR GENERAL OF POLICE,
KERALA, THIRUVANANTHAPURAM - 695 001.
10. THE COMMISSIONER OF POLICE,
KOZHIKODE - 673 001.
11. THE CIRCLE INSPECTOR OF POLICE,
CASABA POLICE STATION, PUTHIYARA,
NEAR SUB JAIL, KOZHIKODE - 673 004
12. THE SUB INSPECTOR OF POLICE,
CASABA POLICE STATION, PUTHIYARA, NEAR SUB JAIL,
KOZHIKODE - 673 004.
13. LEE CAPITAL SERVICE PVT. LTD.,
KOHINOOR FLAT, LUKES LANE, AMBUJAVILASAM ROAD,
PULIMOODU, THIRUVANANTHAPURM - 695 001,
REPRESENTED BY ITS MANAGIND DIRECTOR.
14. LEE CAPITAL SERVICE PVT. LTD.,
BRANCH OFFICE, BARAMCO BUILDING,
ROOM NO.17/1141 C3,2ND FLOOR,
JAIL CROSSSS ROAD, PUTHIYARA P.O.,
KOZHIKODE - 673 004.
15. SANTHOSH KUMAR,
S/O.KUNJIRAMAN PILLAI, AGED ABOUT 40 YEARS,
KURIYANIKKARA HOUSE, KAITHODE,
NILAMEL P.O., KOLLAM - 691 535.
16. SJITH, S/O KUNHIKRISHNAN, AGED ABOUT 35 YEARS,
DEEPAM HOUSE, KAVIL PUTHIYA VEETIL,
ERANHIPALAM P.O., KOZHIKODE - 673 036.
17. SHIHABUDEEN,S/O.MOIDEEN KOYA,
AGED ABOUT 32 YEARS,
ERAKUTHU HOUSE, KAMBILIPARAMBU,
OLAVANNA P.O., KOZHIKODE - 673 019.
18. PREMAN,S/O.BHASKARAN, AGED ABOUT 40 YEARS,
CHALIL PARAMBU HOUSE, KOILANDY P.O.,
KOZHIKODE - 673 305.

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19. ADIL, C/O.SHIHABUDEEN,
S/O.MUHAMMED KOYA,AGED ABOUT 37 YEARS,
KUNNATH HOUSE,
FRANCIS ROAD, KOZHIKODE - 673 001.

R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R2,R9 TO R12 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN
R3 TO R5 BY SRI.P.CHANDRASEKHARA PILLAI, C.B.I.
R6 TO R8 BY ADV. SRI.K.M.JAMALUDHEEN
R16 TO R19 BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18-09-2015, ALONG WITH WPC.NO. 4042/2014 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

sts

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APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 : TRUE COPY OF THE RECEIPT DATED 05.05.2012 ISSUED BY THE 14TH RESPONDENT

EXHIBIT P1(A) : TRUE COPY OF THE RECEIPT DATED 17.09.2012 ISSUED BY THE 14TH RESPONDENT

EXHIBIT P1(B) : TRUE COPY OF THE RECEIPT DATED 12.03.2013 ISSUED BY THE 14TH RESPONDENT

EXHIBIT P1(C) : TRUE COPY OF THE RECEIPT DATED 23.06.2013 ISSUED BY 14TH RESPONDENT

EXHIBIT P2 : TRUE COPY OF THE DOCUMENT DATED 23.06.2013 ISSUED BY THE 14TH RESPONDENT TO THE PETITIONER

EXHIBIT P3 : TRUE COPY OF THE VISITING CARD OF THE 17TH RESPONDENT

EXHIBIT P4 : TRUE COPY OF THE LETTER DATED NIL ISSUED BY THE 14TH RESPONDENT TO THE PETITIONER

EXHIBIT P5 : TRUE COPY OF THE FIR DATED 17.07.2013 TOGETHER WITH THE COMPLAINT OF THE PETITIONER DATED 17.07.2013

EXHIBIT P6 : TRUE COPY OF THE NOTICE CIRCULATED AMONG THE PUBLIC REGARDING AGITATION

EXHIBIT P7 : TRUE COPY OF THE REPRESENTATION DATED 12.11.2013 SUBMITTED BY THE PETITIONER BEFORE THE 9TH RESPONDENT

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO JUDGE

sts

B. KEMAL PASHA, J.

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W.P.(C) Nos.31038/13, 4042, 4380 & 4795/14,
26169, 26973, 26974, 26975,
27180 & 27196 27325 of 2015
.....

Dated this the 18th day of September, 2015

J U D G M E N T

Petitioners are clamoring for a proper investigation into the gross cheating, criminal breach of trust and financial misappropriation committed on them. Even though the cases were registered initially by the local police, presently by considering the gravity of the matter, the investigation has already been handed over to the Economic Offence Wing-III of the CBCID, Kozhikode, and presently that is being investigated by the Inspector of Police, Economic Offence Wing-III of the CBCID, Kozhikode.

In case of any further grievance in the continued investigation, the petitioners can again approach this Court, at appropriate stage. With the said liberty, all these Writ Petitions are closed, for the time being.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge