

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WP(C).No. 30321 of 2014 (M)

PETITIONERS :

**ALOK P.SUNIL, AGED 24 YEARS
POYYARA HOUSE, KATTOOR P.O., THRISSUR DISTRICT.**

BY ADV. SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENTS :

- 1. ASSISTANT COMMISSIONER OF POLICE
CRIME DETACHEMENT, THRISSUR - 680 001.**
- 2. GENERAL MANAGER
NON BANKING FINANCE COMPANIES SUPERVISION
REGIONAL OFFICE, RESERVE BANK OF INDIA
BAKERY JUNCTION, THIRUVANANTHAPURAM - 695 001.**
- 3. GOVERNOR
RESERVE BANK OF INDIA, MUMBAY - 400 030.**
- 4. SUPERINTENDENT
CENTRAL BUREAU OF INVESTIGATION
COCHIN UNIT - 682 016.**
- 5. THE DIRECTOR
CENTRAL BUREAU OF INVESTIGATION
NEW DELHI - 110 001.**
- 6. THE SECRETARY
MINISTRY OF PERSONNEL, PUBLIC GRIEVENCES AND PENSION
NEW DELHI - 110 001.**
- 7. MANAPPURAM FINANCE LTD
HAVING ITS REGISTERED OFFICE AT VALAPPAD P.O.
THRISSUR DISTRICT
REP. BY ITS MANAGING DIRECTOR V.PNANDAKUMAR
S/O. LATE V.C.PADMANABHAN, PADMA SAROJ
VAZGHAPPILLY HOUSE, THRISSUR DISTRICT - 680 567.**

8. V.P.NANDAKUMAR
MANAGING DIRECTOR, MANAPPURAM FINANCE LTD, VALAPPAD
THRISSUR - 680 657.
9. SHEELA
MANAGER, MANAPPURAM FINANCE LTD, NAIKKANAL BRANCH
THRISSUR DISTRICT - 680 001.
10. LAKSHMI
MANAPPURAM FINANCE LTD, NAIKKANAL BRANCH
THRISSUR DISTRICT - 680 001.
11. JAIN FRANCIS
MANAPPURAM FINANCE LTD, NAIKKANAL BRANCH
THRISSUR DISTRICT - 680 001.
12. I.UNNIKRISHNAN
MANNATH HOUSE, MANNATH LANE, THRISSUR - 680 001.
13. B.N.RAVEENDRABABU
BLANGATT HOUSE, KAIPPAMANGALAM, THRISSUR - 680 681.
14. MANOMOHAN
7/71 A ASWATHI, HIGH SCHOOL ROAD, CHENTHRAPPINI
THRISSUR - 680 681.
15. MANOHARAN
TC 6/657, VAILAPPILLI, KUNDUVARA ROAD
CHEMBOOKKAVU, THRISSUR - 680 001.
16. SANKARANARAYANAN
10-C, SKYLINE BRENT WOOD, SAY RILL ROAD
KOORKKENCHERRY, THRISSUR - 680 007.
17. V.R.RAMACHANDRAN
VAILAPARAMBIL HOUSE, 50/840, AYYANTHOLE
THRISSUR - 680 003.
18. SHYLESH METHA
APARTMENT 142, 14TH FLOOR, LAKSHMI VILAS
87 NAPEAN SEA ROAD, MALABAR HILLS, MUMBAI - 400 006.
19. GOUTHAN SAIGAL
M/S. A.A.INDIAN CAPITAL ADVOSORS (P) LTD
63 MAKER MAXITY, LEVEL 163, NORTH AVENEUE
BANDRA KURIA COMPLEX, BANDRA EAST, MUMBAI.
20. JAGADEESH KAPOOR
1601, VBROOKE VILLE, 359 MOGUL LANE
MAHIM, MUMBAUI - 400 016.

21. GOURAV MATHOOR

**FLAT NO. 18 402, MARLOW CO-OPERATIVE HOUSING SC LTD
62, B S POCHKHAM WAQLA ROAD, WORLI
MUMBAI - 400 030.**

BY ADV. GOVERNMENT PLEADER SMT.S.HYMA

R2 & 3 BY ADV. SRI.MILLU DANDAPANI

R4 & R5 BY SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

R6 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

R7-R21 BY ADV. SRI.C.P.MOHAMMED NIAS

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

VS

WP(C).No. 30321 of 2014 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 - TRUE COPY OF THE DEPOSIT RECEIPT DT. 10.11.11.
- EXT.P2 - TRUE COPY OF THE PUBLIC NOTICE ISSUED BY THE RESERVE BANK OF INDIA, APPEARED ON 05.2.12 IN MALAYALA MANOREMA DAILY.
- EXT.P3 - TRUE COPY OF THE COMPLAINT FIELD BY THE PETITIONER BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT, TRICHUR DT. 11.9.12.
- EXT.P4 - TRUE COPY OF THE FIRST INFORMATION REPORT IN CR. NO. 2023/11.
- EXT.P5 - TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC NO. 4450/13 DT. 23.7.13.
- EXT.P6 - TRUE COPY OF THE JUDGMENT IN CCC 1316/14 OF THIS HON'BLE COURT.
- EXT.P7 - TRUE COPY OF THE INCOME TAX RETURNS OF THE 8TH RESPONDENT FOR THE ASSESSMENT YEAR 2010-11.

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

VS

P.UBAID, J

W.P.C.No.30321 of 2014

Dated this the 2nd day of March, 2015

JUDGMENT

The writ petitioner herein seeks a direction for investigation by the Central Bureau of Investigation in a crime registered under Sections 409, 464, 467, 468, 420 and 120 B of IPC. In an earlier proceeding brought as WP(c) No.4450/13, this court had directed investigation by an officer not below the rank of Deputy Superintendent of Police. There is report now that, the crime is now being investigated by Assistant Commissioner of Police, Crime Detachment, Trichur, as directed by this court.

2. The reports filed by the police periodically will show that, effective investigation is in progress. Of course, it is true that, some of the accused have brought proceeding to quash the criminal prosecution on certain grounds. Those petitions will heard separately. The writ petitioner doesn't satisfy the court, why the CBI should intervene in this matter. This court directed proper and effective investigation by a police officer not below the

rank of Deputy Superintendent of Police, and such investigation is in progress. I find no reason or ground at this stage to interfere or to think of a different course, and order investigation by CBI. I do not think that this is a fit case for the involvement of the CBI.

Accordingly, this writ petition is dismissed. However, this court repeats the direction already made in the earlier proceeding that the crime shall be effectively, and properly investigated, and the final report shall be submitted without any delay.

Sd/-
P.UBAID
JUDGE

/TRUE COPY/

PA TO JUDGE

VS