

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 5TH DAY OF APRIL 2022 / 15TH CHAITHRA, 1944

OP(CRL.) NO. 150 OF 2022

(TO DISPOSE OF EXHIBIT P2 APPLICATION PENDING IN CC NO.5/2016

PENDING BEFORE THE ENQUIRY COMMISSIONER & SPECIAL JUDGE

(VIGILANCE) MUVATTUPUZHA, WITHIN A TIME FRAME)

PETITIONER/CLAIM PETITIONER IN IA/RESPONDENT:

- 1 MUHAMMED IQBAL
AGED 62 YEARS
S/O. HASSAN KUTTY RAWTHER,
PANTHUVALLIL HOUSE, MULAKKUZHA MURI,
MULAKKUZHAVILLAGE, CHENGANNOOR TALUK,
ALAPPUZHA DISTRICT, NOW RESIDING AT PATHUVALLIL,
YENDAYAR EAST P.O, YENDAYAR, KOOTTICKAL,
KOTTAYAM, PIN - 686514
BY ADVS.
A.T.ANILKUMAR
V.SHYLAJA

RESPONDENTS/RESPONDENTS IN IA/STATE:

- 1 STATE OF KERALA
REPRESENTED
BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682031
- 2 THE DEPUTY SUPERINTENDENT OF POLICE
VIGILANCE AND ANTICORRUPTION BUREAU
IDUKKI DISTRICT, PIN - 685602
- 3 K.G GEORGE
(AGE NOT KNOWN TO THE PETITIONER)
ASSISTANT MANAGER, KFC,
S/O. K.D GEORGE, KALLICKAL HOUSE,
KONNATHADI P.O, IDUKKI DISTRICT, PIN - 685563
- 4 JOCEY GEORGE
(AGE NOT KNOWN TO THE PETITIONER),
S/O. T.J GEORGE,
THOPPIL HOUSE, KURISUMOODU P.O,
CHANGANASSERY, KOTTAYAM DISTRICT, PIN - 686104
- 5 JOJI VARGHESE
(AGE NOT KNOWN TO THE PETITIONER),
S/O. T.J VARGHESE,

- THOPPIL HOUSE, KURISUMOODU P.O,
CHANGANASSERY, KOTTAYAM DISTRICT 686104, PIN - 686104
- 6 JOSEMON JOSEPH
(AGE NOT KNOWN TO THE PETITIONER) ,
S/O. M.O JOSEPH,
MYLAPPARAMBIL HOUSE,
THAMBALAKKADU KARA, KANJIRAPALLY,
KOTTAYAM DISTRICT, PIN - 686506
- 7 P.S THAMPI
(AGE NOT KNOWN TO THE PETITIONER) ,
S/O. M.S SAMUEL,
P.F QUARTERS NO. 12, PATTOM,
TIRUVANANTHAPURAM DISTRICT, PIN - 695004
- 8 T.P MATHEW
(AGE NOT KNOWN TO THE PETITIONER) ,
S/O. PAULOSE, THONAKKARA HOUSE,
KOCHUTHOVALA P.O,
KATTAPANA, IDUKKI DISTRICT, PIN - 685508
BY ADV. SRI.A.RAJESH, SPECIAL GOVERNMENT PLEADER

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
05.04.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 05th day of April, 2022

The de facto complainant in VC No.19/2005/IDK now pending as C.C. No.5/2016 of the Enquiry Commissioner and Special Judge (Vigilance) has approached the court below in Crl.M.P. No.763/2019 for releasing the documents kept in court custody, in connection with the above crime. The grievance of the petitioner is that though Ext.P2 application was filed on 30.07.2019, it has not been disposed of even now.

2. After hearing the learned Counsel for the petitioner and the learned Special Government Pleader, I feel that the limited prayer sought by the petitioner in original petition can be granted.

Accordingly, the original petition is disposed of with a direction to the court below to take up, consider and dispose of on merits Ext.P2 application, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of this

judgment. It is made clear that no comment is made by this Court regarding the merits of the relief sought in the application.

Sd/-
SUNIL THOMAS
JUDGE

SKP/5-4

APPENDIX OF OP(CRL.) 150/2022

PETITIONER'S EXHIBITS

EXHIBIT P1 TRUE COPY OF THE JUDGEMENT IN WP(C) NO.
20354/2005, DATED 30.10.2009

EXHIBIT P2 TRUE COPY OF THE CRL MP NO. 763/2019 FILED
UNDER SECTION 451 OF CODE OF CRIMINAL
PROCEDURE

EXHIBIT P3 TRUE COPY OF THE OBJECTION FILED BY THE 3RD
RESPONDENT, DATED 18.02.2020

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.A.TO JUDGE