



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

TUESDAY, THE 10TH DAY OF DECEMBER 2024 / 19TH AGRAHAYANA,

1946

WP (CRL.) NO. 5 OF 2024

PETITIONERS:

- 1 GIRISH S
AGED 41 YEARS
S/O SURENDRAN NAIR R, GIRIHARI,
KAMUKUMCHERRY, AVANEESWARAM P.O KOLLAM,
KERALA, PIN - 691508
- 2 GRACE JOHN PANICKER
AGED 59 YEARS
W/O JOHN PANICKAR, FLAT NO: C-203 NOTTING HILLS,
NIBM P.O KONDAWN, BUDRUCK, PUNE,
MAHARASHTRA,, PIN - 41104
- 3 BINU MONI
AGED 42 YEARS
S/O KESEVEN MANI, BINDHU VILASAM, PLACHERY P.O
PUNALUR, VALACODE PUNALUR, EDAMON, KOLLAM,
KERALA, PIN - 691331
- 4 BINDHU SADANANDAN
AGED 42 YEARS
W/O SADANANDAN ACHARI, KALLUVILA THAZHETHIL,
KAMUKUMCHERY, AVANEESWARAM, P.O PIDAVOOR,
KOLLAM, AVANEESWARAM, KERALA,, PIN - 691508
- 5 KAVITHA R
AGED 38 YEARS



D/O RAGHAVAN , KAVITHA BHAVAN, THAMARAPPALLY,
PLACHERI, P. O, VALACODE, KOLLAM,
KERALA, PIN - 691331

- 6 REKHA KUMARY
AGED 49 YEARS
W/O SREEDHARAN, PLAVILATHAZHATHIL VEEDU,
PLACHERY, P.O PUNALUR, VALACODE, KOLLAM,
KERALA, PIN - 691331
- 7 SOMAN PILLAI
AGED 62 YEARS
S/O PAPPU, CHARUVILA PUTHEN VEEDU, KALAYANADU,
PLACHERY, P.O VALACODE (PART) KOLLAM,
KERALA,, PIN - 691331
- 8 ASHA NAIR
AGED 35 YEARS
W/O MUKESH MOHANAN NAIR, APPINETH KIZHAKKETHIL,
VETTIYAR P. O. MAVELIKKARA, VETTIYAR, ALAPPUZHA,
KERALA, PIN - 690558
- 9 KRISHNA PRIYA S
AGED 45 YEARS
W/O PRADEEEP KUMAR V, FLAT NO: 401, C1 CRYSTINA
NYATI ESPLANADE BANDAL ESTATE, ROAD, BEHIND
CRYSTAL HONDA BAVDHAN BUDRUK, PUNE CITY, ARMAMENT,
PUNE CITY, PUNE, MAHARASHTRA, 411021, PIN - 411021
- 0 P J KURIAKOSE
AGED 76 YEARS
S/O JOSEPH, PARAKUNNIL VEEDU, ELAMPAL P.O
VILAKKUDY, ELAMPAL, KOLLAM, KERALA,, PIN - 691322
- 11 THANKAMMA
AGED 61 YEARS
W/O CHACKO, MUKKADAKKAL VEEDU, KUTTIKONAM,
KUNNICODE, P.O VILAKUDY, KUNNICODE, KOLLAM,
KERALA,, PIN - 691508
- 12 K VIJAYA KUMAR
AGED 66 YEARS



/O K KRISHNAN NAIR, THIRUVATHIRA, VAZHAYILA,
THARANGINI, J N, VAZHAYILA, KARAKULAM,
THIRUVANANTHAPURAM, KERALA,, PIN - 695043

- 13 ABI THOMAS K V
AGED 48 YEARS
S/O K K VARGHESE KUNJU, 753 KILILATHU,
EBENEZER COTTAGE, ELAMPAL, ELAMPAL,
VILAKKUDY, KOLLAM, KERALA, PIN - 691322
- 14 JEENA C
AGED 40 YEARS
W/O KALAS G, MANDIRAM, PATHIRICKAL, P. O
PATHANAPURAM, KOLLAM, KERALA, PIN - 689695
- 15 PRABHATH GOPALAKRISHNAN
AGED 52 YEARS
S/O GOPALAKRISHNAN, TYPE III/27,
NOOL QUARTERS, VARUNA CAMPUS,
THRIKKAKARA NORTH (PART) ERNAKULAM,
KERALA, PIN - 682021
- 16 SUNDARAN PILLAI M
AGED 57 YEARS
S/O MADHAVAN PILLAI, JANAKI MANDIRAM,
AVANEESWARAM R.S.P.O, MANJAKALA, THALAVOOR,
KOLLAM, KERALA,, PIN - 691508
- 17 LEELAMMA THOMAS
AGED 63 YEARS
W/O THOMAS, MERRY GREEN VIEW, ELAMPAL P.O,
PUNALUR, VILAKUDY, ELAMPAL, KOLLAM,
KERALA, PIN - 691322
- 18 GEETHAKUMARY P
AGED 55 YEARS
W/O VASUNDHARAN, GIREESH BHAVAN, PARAVATTOM,
MANIYAR P.O PUNALUR, KARAVALOOR, (PART),
KOLLAM, KERALA, PIN - 691333
- 19 SREELEKSHMI V S
AGED 28 YEARS



D/O VASANTHARAJAN, LEKSHMI VIHAR, KULAMADA,
KIZHAKANELA P.O, TRIVANDRUM, DISTRICT NAVAIKULAM,
PARIPPALLY, KOLLAM, KERALA,, PIN - 691574

- 20 SAJIMON ABRAHAM
AGED 55 YEARS
S/O ABRAHAM MATHEW VILAYIL KIZHAKKETHIL,
KOTTAVATTAM, P.O ELAMPAL, VILAKKUDY, KOLLAM,
KERALA,, PIN - 691322
- 21 K A MATHEWS
AGED 71 YEARS
S/O K M ABRAHAM, , KUZHIKALAYIL HOUSE,
ANGADI, PATHANAMTHITTA, KERALA, PIN - 689674
- 22 GEORGE KOSHY
AGED 55 YEARS
S/O K KOSHY, PUTHEN PURAYIL VEEDU,
NELLIPPALLY P.O PUNALUR, VALACODE (PART),
KOLLAM, KERALA, PIN - 691331
- 23 SIJU SAM
AGED 50 YEARS
S/O JOYKUTTY S, PUTHEN THARAYIL,
VALACODE P.O, T.B JUNCTION, PUNALUR,
VALACODE (PART), KOLLAM, KERALA, PIN - 691331
- 24 SAMBHU NAIR V S
AGED 24 YEARS
/O VIKRAMAN PILLAI B, , THUNDIL VEEDU,
ELAMBAL, PUNALUR, ELICODE, KOLLAM, KERALA,
PIN - 691322
- 25 VIJAYAMMA
AGED 60 YEARS
W/O SURENDRAN NAIR R, , GIRI HARI,
AVANEESWARAM P.O, KAMUKUMCHERY,
PIDAVOOR, KOLLAM, KERALA,, PIN - 691508
- 26 AKHIL C K
AGED 26 YEARS
S/O C K KERALA KUMAR, ANJANAM,



ARAMPUNNA, VILAKKUDY, KOLLAM,
KERALA, PIN - 691322

- 27 RAMACHANDRAN PILLAI
 AGED 75 YEARS
 S/O BHARGAVAN PILLAI, , SREE NIVAS ELAMPAL P.O,
 PUNALUR, VILAKUDY, ELAMPAL, KOLLAM,
 KERALA, PIN - 691322
- 28 PONMONY R
 AGED 55 YEARS
 W/O VIJAYAKUMAR R, , JYOTHIS, ARAMPUNNA,
 ELAMPAL P.O, PUNALUR, VILAKKUDY,
 KOLLAM, ELAMPAL, KERALA,, PIN - 691322
- 29 SOBHANAKUMARY K S
 AGED 58 YEARS
 W/O VIKRAMAN PILLAI, THUNDIL VEEDU, ELAMBAL,
 PUNALUR, ELICODE, KOLLAM, KERALA,, PIN - 691322
- 30 RAJAGOPALAN NAIR B
 AGED 75 YEARS
 S/O BHARGAVAN PILLAI, SREE NIVAS ELAMPAL P.O,
 PUNALUR, VILAKUDY, ELAMPAL, KOLLAM,
 KERALA, PIN - 691322
- 31 VIJAYAN PILLAI B
 AGED 65 YEARS
 S/O BHARGAVAN PILLAI, , SREE NIVAS ELAMPAL P.O,
 PUNALUR, VILAKUDY, ELAMPAL, KOLLAM,
 KERALA, PIN - 69132
- 32 SOPHIA ISSAC
 AGED 46 YEARS
 W/O ISSAC, , ALIN VILLA, VILAKUDY, P.O,
 KOLLAM, KERALA, PIN - 691508
- 33 B VALSALAKUMARI
 AGED 66 YEARS
 W/O K VIJAYAKUMAR, THIRUVATHIRA, VAZHAYILA,
 THARANGINI JUNCTION, KARAKULAM,
 THIRUVANANTHAPUARAM , PIN-, PIN - 695043



- 34 SANTHAMMA G.S
AGED 62 YEARS
W/O THULASEEDHARAN PILLAI, PUNARJANI,
KANJIRAMALA, PPM P.O, PUNALUR,
VALACODE, PUNALUR PAPER MILLS,
KOLLAM,, PIN - 691332
- 35 MANJU MURALI
AGED 41 YEARS
W/O MURALI, PLAVILA, PUTHENVEEDU, PLACHERY,
PUNALUR, KOLLAM,, PIN - 691331
- 36 SHAJAHAN N
AGED 63 YEARS
S/O NOOR MOHAMMED, NILAMEL P.O,
KOLLAM DISTRICT,, PIN - 691535
- 37 NISHA T
AGED 35 YEARS
W/O NITHYANANDAN PILLAI, SARASWATHY VILASAM,
MANJAKKALA, AVANEESWARAM R.S P. O, KUNNIKKADU,
KOLLAM, PIN-, PIN - 691508
- 38 SUMA P
AGED 52 YEARS
D/O JANARDHANAN ACHARI, GOWRI BHAVAN,
VETTIPUZHA SOUTH, PUNALUR, PIN - 691305
- 39 LILLYKUTTY
AGED 59 YEARS
W/O YOHANNAN, , MUTHIRA VILA, KIZHAKKETHIL,
ELAMPAL P.O, PUNALUR, KOLLAM,, PIN - 691322
- 0 K. SEETHA LEKSHMY
AGED 67 YEARS
W/O VASUDEVAN K, ANU BHAVAN, MANJAKALA PULIMUKKU,
AVANEESWARAM, RSDO,, PIN - 691508
- 41 NAZEERA R
AGED 51 YEARS
W/O SULAIMAN, KADALIMANGALATHU VEEDU, VAZHAMON,



VALACODE P.O, PUNALUR,, PIN - 691322

- 42 JOLLY BABU
AGED 53 YEARS
W/O BABU, PAREKKUNNIL HOUSE, ELAMPAL P.O,
PUNALUR,, PIN - 691322
- 43 SAJI PAPPACHAN
AGED 54 YEARS
S/O PAPPACHAN, CHARU VILA, PUTHAN VEEDU,
VATTAMON, PUNALUR, KARAVALOOR, (PART) ,
KOLLAM, KERALA,, PIN - 691333
- 44 ASHA V
AGED 36 YEARS
W/O K VIJAYAKUMAR, ,TC 34/551 (2) , ASHA BHAVAN,
SRKPRA-C S, ASRAMAM, ROAD, NETTAYAM P.O,
THIRUVANANTHAPURAM, THIRUVANANTHAPURAM, KERALA,,
PIN - 695013
- 45 RAMACHANDRAN PILLAI
AGED 74 YEARS
S/O BHASKARAN PILLAI, , MURALI SADANAM,
KUDAVATOOR.P.O, ODANAVATTAM, KOTTARAKKARA,
KOLLAM, KERALA, PIN - 691512

BY ADVS.
T.K.RAJESHKUMAR
MANOJ V GEORGE
T.N.BINDU
ABHISHEK
JIJO JOSE
RHUTHWIK KRISHNA
STANLEY KURIAN

RESPONDENTS:

- 1 STATE OF KERALA
THROUGH ITS SECRETARY, HOME DEPARTMENT,



GROUND FLOOR, MAIN BLOCK, SECRETARIAT,
THIRUVANANTHAPURAM-, PIN - 695001

- 2 DIRECTOR GENERAL OF POLICE
STATE POLICE HEADQUARTERS, VELLAYAMBALAM,
THIRUVANANTHAPURAM-, PIN - 695010
- 3 STATION HOUSE OFFICER
KOTTARAKARA POLICE STATION, CHANDAMUKKU,
KOTTARAKKARA, PIN - 691506
- 4 ECONOMIC OFFENCES WING- CRIME BRANCH
KOLLAM RURAL ADMINISTRATION,
KOTTARAKARA, KOLLAM, PIN - 691531
- 5 CENTRAL BUREAU OF INVESTIGATION
CBI ROAD, KATHRIKADAVU, KALOOR,
ERNAKULAM, PIN - 682017

BY SMT.SEETHA S. P.P

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR
ADMISSION ON 10.12.2024, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



J U D G M E N T

This writ petition has been filed by the victims in Crime No.2281 of 2022 of Kottarakara Police Station with the following prayers:

- “(i) Issue a writ of mandamus or any other appropriate writ directing the 3rd respondent to entrust all the evidences collected specifically on the day of 09/10/2022 during the arrest of S. Venugopal and post that if any, to the 4th respondent or to the 5th respondent whosoever is entrusted with the investigation without any delay;
- (ii) Direct the 2nd respondent to order an enquiry with regard to the ineffective and lackadaisical approach of the 3rd respondent in respect to the investigation carried out by them and for not entrusting the 4th respondent with crucial piece of evidences visible in Exhibit P5 during the time of the arrest of S. Venugopal;
- (iii) Direct the 2nd respondent to take a stern departmental action against the erring officials responsible for ineffective and vague investigation and helping the accused and his allies
- (iv) Direct the 4th respondent or the 5th respondent to conduct a speedy and holistic investigation and to trace the evidences i.e diaries, documents, files etc to unearth the Kechery scam and file a detailed report before the Hon’ble Court regarding the status of the investigation; and
- (v) Issue such other orders as this Hon’ble Court deem just and proper.”

2. The learned Senior Public Prosecutor submits that the investigation is over and the final report has already been filed. Hence, the prayers in this writ petition have become infructuous.

Accordingly, the writ petition is dismissed with liberty to



the petitioners to challenge the final report in accordance with law.

Sd/-
DR.KAUSER EDAPPAGATH, JUDGE

AS



APPENDIX OF WP (CRL.) 5/2024

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF RECEIPT OF INVESTMENT ISSUED TO THE 1ST PETITIONER
EXHIBIT P2	TRUE COPY OF RECEIPT OF INVESTMENT ISSUED TO THE 38TH PETITIONER
EXHIBIT P3	THE TRUE COPY OF THE FIR NO 2338/2022 REGISTERED WITH PUNNALUR POLICE STATION
EXHIBIT P4	THE TRUE COPY OF THE INTERIM ORDER IN WP (CRL.) NO. 953 OF 2022 ACCEPTING THE PRAYER OF THE INVESTORS AND PASSED AN ORDER DATED 21/10/2022
EXHIBIT P6	TRUE COPY OF THE INTERIM ORDER IN WP (CRL.) NO. 953 OF 2022 DATED 09/03/2023 DIRECTING THE DEPUTY SUPERINTENDENT OF POLICE, ECONOMIC OFFICE WING KOLLAM AND PATHANAMTHITTA TO FILE A DETAILED REPORT IN RESPECT TO THE STEPS TAKEN TO INVESTIGATE THE ALLEGATIONS AGAINST THE ACCUSED
EXHIBIT P7	TRUE COPY OF THE JUDGMENT IN WP (CRL.) NO. 825 OF 2023 DATED 08/11/2023 PASSED BY THIS HON'BLE COURT