

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN**

**FRIDAY, THE 5<sup>TH</sup> DAY OF JANUARY 2024 / 15TH POUSHA, 1945**

**RP NO. 1372 OF 2023**

**AGAINST THE JUDGMENT WP(Crl.) 825/2023 OF HIGH COURT OF  
KERALA**

**REVIEW PETITIONERS/RESPONDENTS 2, 3, 4, 6 & 7 IN WP(CRL):**

- 1 THE STATE OF KERALA  
REPRESENTED BY THE CHIEF SECRETARY TO THE  
GOVERNMENT OF KERALA  
SECRETARIAT, THIRUVANANTHAPURAM,, PIN - 695001
- 2 THE STATE POLICE CHIEF  
HEAD QUARTERS,VELLAYAMBALAM,  
THIRUVANANTHAPURAM, PIN - 695010
- 3 THE ADDITIONAL DIRECTOR GENERAL OF POLICE (CRIME  
BRANCH)  
POLICE HEAD HEADQUARTERS, VELLAYAMBALAM,  
THIRUVANANTHAPURAM, PIN - 695010
- 4 THE COMPETENT AUTHORITY I UNDER THE BUDS ACT  
(MR.SANJAY M KAUL I.A.S)  
ROOM NO 374, MAIN BLOCK, SECRETARIAT ,  
THIRUVANANTHAPURAM, PIN - 695017
- 5 THE DISTRICT COLLECTOR  
( OFFICER TO ASSIST COMPETENT AUTHORITY UNDER BUDS  
ACT) COLLECTORATE KOLLAM, PIN - 691013  
BY ADVS.B.S.SYAMANTAK, GP

**RESPONDENTS/PETITIONERS & RESPONDENTS 1, 5, 8 TO 15 IN**

**WP(CRL):**

- 1 RAJU.T  
AGED 53 YEARS  
S/O. THANKAPPAN, NIJA NIVAS, KOTTAVATTOM  
JUNCTION, ELAMPAL.P.O, PUNALUR, KOLLAM - 691305
- 2 BINU GEORGE  
AGED 40 YEARS  
S/O .C.K.GEORGE, CHRISTCOTTAGE,  
PERUNGALLUR, AYUR.P.O, KOLLAM, PIN - 691533
- 3 THULASEEDHARAN NAIR  
AGED 63 YEARS, S/O. NARAYANA PILLAI,  
UTHRATTATHI, PANAYANCHERY, ANCHALP.O, KOLLAM - 691306

- 4 LUKOSE CHACKO @CHACKO LUKOSE  
AGED 64 YEARS  
S/O CHACKO, T.J.BHAVAN,  
EDAMULACKAL.P.O,ANCAL,KOLLAM, PIN - 691306
- 5 UNION OF INDIA  
REPRESENTED BY THE CABINET SECRETARY  
CABINET SECRETARIAT, RASHTRAPATI BHAVAN,  
NEW DELHI., PIN - 110004
- 6 CENTRAL BUREAU OF INVESTIGATION  
PLOT NO 5-B, 6TH FLOOR, CGU COMPLEX, LODHI  
ROAD, NEW DELHI, REPRESENTED BY THE JOINT  
DIRECTOR AND HEAD OF CHENNAI ZONE, III  
FLOOR , E.V.K, SAMPATH BUILDING, COLLEGE  
ROAD, CHENNAI, PIN - 600066
- 7 S VENUGOPAL  
AGED 59 YEARS  
S/O SREEDHARANPILLA, HARI BHAVAN ,  
KAMUKUMCHERI, KARIYARA PO, PIDAVOOR VILLAGE ,  
PATHANAPURAM TALUK, KOLLAM DISTRICT  
(PROPRIETOR KECHERY ENTERPRISES-PRIME  
ACCUSED IN 1600 CRIMES), PIN - 691332
- 8 MRS BINDU VENUGOPAL  
AGE NOT KNOWN, W/O MR.S.VENUGOPAL,  
HARI BHAVAN , KAMUKUMCHERI, KARIYARA PO,  
PIDAVOOR VILLAGE , PATHANAPURAM TALUK,  
KOLLAM DISTRICT ( WIFE OF PRIME ACCUSED AND  
BUSINESS PARTNER KNOWING ALL THE  
SECRETES OF THE PRIME ACCUSED), PIN - 691332
- 9 MRS. J BABY SREEKALA  
AGED 62 YEARS  
SISTER OF S VENUGOPAL, ANUMGRAHA,  
K.P.KESHAVAMENON COLONY , OLAVAKKODU, PALAKKAD  
(SISTER OF PRIME ACCUSED AND PRESENT CEO OF  
KOCHERY ENTERPRISES), PIN - 678002
- 10 VIGNESH  
S/O S VENUGOPAL, HARI BHAVAN ,  
KAMUKUMCHERI, KARIYARA PO, PIDAVOOR VILLAGE ,  
PATHANAPURAM TALUK, KOLLAM DISTRICT  
(SON OF THE PRIME ACCUSED- BUSINESS PARTNER WHO  
MANAGES AND KEEPS THE ASSETS OF KECHERY  
ENTERPRISES IN DUBAI, PIN - 691332
- 11 PARVATHY VENUGOPAL  
D/O S VENUGOPAL, HARI BHAVAN ,

- KAMUKUMCHERI, KARIYARA PO,  
PIDAVOOR VILLAGE , PATHANAPURAM TALUK,  
KOLLAM DISTRICT (DAUGHTER OF PRIME ACCUSED -  
PROMOTER AND BUSINESS PARTNER AT PRESENT KEEPS  
THE ASSETS OF HER FATHER IN U.K.), PIN - 691332
- 12 SUGANDHI  
AGED 60 YEARS  
DETAILS NOT KNOWN TO THE PETITIONERS ,  
MANAGER ,KECHERY ENTERPRISES ,  
HEAD OFFICE ,PUNALUR, KOLLAM (CO ACCUSED WITH  
THE PRIME ACCUSED WHO IS THE SIGNATORY OF FIXED  
DEPOSIT RECIEPT), PIN - 691305
- 13 KECHERY ENTERPRISES  
HEAD OFFICE PUNALUR, KOLLAM (REPRESENTED BY ITS  
DIRECTOR MR.S.VENUGOPAL, PIN - 691305
- 14 KECHERY NIDHI LTD  
KECHERY TOWER, OPP.KSRTC BUS STAND,  
PUNALUR REPRESENTED BY ITS DIRECTOR,  
MR.S.VENUGOPAL, PIN - 691305  
BY ADVS.V.JAYAPRADEEP  
O.A.NURIYA  
D.S.LOKANATHAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON  
05.01.2024, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**P.V.KUNHIKRISHNAN, J.**

-----  
**R.P.No.1372 of 2023**  
-----

**Dated this the 05<sup>th</sup> day of January, 2024**

**ORDER**

This review petition is filed stating that Section 30 of the BUDS Act is not applicable. This Court disposed the writ petition stating that “there is no dispute in the fact that the facts in this case will cover the situation mentioned in Section 30 of the BUDS Act.” The question as to whether Section 30 is applicable is not adjudicated by this Court. If that be the case, the writ petition is to be heard again.

Therefore, this review petition is allowed. The judgment dated 08.11.2023 in W.P.(Crl.) No.825/2023 is recalled. The writ petition is restored to file.

JV

sd/-  
**P.V.KUNHIKRISHNAN**  
**JUDGE**