

G.Udayakumar Vs. State of Kerala

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Court : Kerala

Decided On : Nov-05-2013

Judge : Honourable Mr.Justice Harun-Ul-Rashid

Appellant : G.Udayakumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE HARUN-UL-RASHID TUESDAY, THE 5TH DAY OF NOVEMBER 2013 14TH KARTHIKA, 1935 WP(C).No. 25777 of 2013 (V)

----- PETITIONER(S): ----- G.UDAYAKUMAR TC29510, MOSQUE LANE, THAMPANUR THIRUVANANTHAPURAM. BY ADVS.SRI.P.A.AHAMMED SRI.THOUFEEK AHAMED RESPONDENT(S): ----- 1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT HOME DEPARTMENT, SECRETARIAT THIRUVANANTHAPURAM-695001.

2. DIRECTOR VIGILANCE & ANTI CORRUPTION BUREAU THIRUVANANTHAPURAM-695001.

3. INSPECTOR OF POLICE VIGILANCE AND ANTI CORRUPTION BUREAU KOLLAM UNIT-691001. BY PUBLIC PROSECUTOR SRI. ABHIJETT LESSLI THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 0511-

2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:
WP(C).No. 25777 of 2013 (V) ----- APPENDIX PETITIONER'S
EXHIBITS ----- EXHIBIT P1- TRUE COPY OF
COMPLAINT FILED BY PETITIONER BEFORE SUB INSPECTOR OF POLICE,
EAST POLICE STATION, KOLLAM DATED 228-2010. EXHIBIT P2- TRUE COPY
OF THE RECEIPT NO. 226/10 DATED 228-2010 ISSUED TO THE PETITIONER
BY THE OFFICE OF KOLLAM EAST POLICE. EXHIBIT P3- TRUE COPY OF
THE APPLICATION FILED BY S.KOLAPPAPILLAI UNDER RTI ACT DATED 231-
2012 BEFORE STATE PUBLIC INFORMATION OFFICER, C/O. CIRCLE
INSPECTOR OF POLICE KOLLAM EAST CIRCLE OFFICE. EXHIBIT P4- TRUE
COPY OF LETTER NO.05/RIA/12/B DATED 232-12 ISSUED BY CIRCLE
INSPECTOR OF POLICE, KOLLAM EAST TO S.KOLAPPAPILLAI. EXHIBIT P5-
TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE
HON'BLE CHIEF MINISTER OF KERALA DATED 1910-2010. EXHIBIT P6- TRUE
COPY OF THE RECEIPT ISSUED FROM THE CHIEF MINISTER'S OFFICE TO
THE PETITIONER. EXHIBIT P7- TRUE COPY OF LETTER NO. 4968/E3/12/VIG.
DATED 164-2012 ISSUED BY STATE PUBLIC INFORMATION OFFICER &
UNDER SECRETARY TO GOVT., VIGILANCE DEPARTMENT. EXHIBIT P8-
TRUE COPY OF COMPLAINT, CMP.NO. 2050/2011 FILED BY PETITIONER
BEFORE THE ENQUIRY COMMISSIONER & SPECIAL JUDGE,
THIRUVANANTHAPURAM DATED 1910-2011. EXHIBIT P9- TRUE COPY OF FIR
NO. 03/2012 OF VIGILANCE & ANTI CORRUPTION BUREAU, KOLLAM
DISTRICT DATED 114-2012. RESPONDENTS' EXHIBITS
----- NIL //True copy// P.A. TO JUDGE Shg/ HARUN-UL-
RASHID, J.

----- W.P.C No. 25777 of 2013 ----- Dated this the
5th day of November 2013.

JUDGMENT

The writ petition is filed seeking a direction directing respondents 2 & 3 to complete the investigation of FIR No. 03/2012 of Vigilance & Anti Corruption Bureau, Kollam on the file of the Enquiry Commissioner and Special Judge, Thiruvananthapuram as expeditiously as possible in the interest of justice.

2. In the statement filed by the 3rd respondent, it is interalia stated that FIR in VC32012/KLM u/s 13(1) (c) read with 13(2) of the PC Act, 1988 and Section 465, 471, 473 and 120 (B) IPC was registered by the Vigilance & Anti Corruptions Bureau, Kollam on 12.4.2012 against Sri. D.Chandralal, Ring Official Chairman, Kerala State Amateur Boxing Association, Sri. Reji.C.B., Secretary, Kerala State Amateur Boxing Association and Sri. Veliyam K.S.Rajeev, President, Kerala Amateur Boxing Association. It is also stated that the investigation is in progress. So far 16 records were seized and 7 witnesses were examined and their statements were recorded. The details of coaching camps and tournaments conducted during 2002 to 2010 by the Boxing Association all over Kerala has to be verified to W.P.(C) No.25777/2013 :

2. : ascertain the total amount of misappropriation and forgery committed by the accused persons. It is also stated that in order to substantiate the allegations the participants from all over Kerala has to be questioned and the certificates and vouchers are to be compared with relevant records. In the facts and circumstance, it is stated that to finalise the investigation at least six months time is required. Recording the statement of the 3rd respondent, the writ petition is closed. The 3rd respondent shall finalise the investigation and shall submit charge sheet within the above said period. Sd/- HARUN-UL-RASHID, Judge. AL/- True copy P.A to Judge W.P.(C) No.25777/2013 :

3. :

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