

R.P.No.1098, 1099 & 1100 of 2022

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

MONDAY, THE 12TH DAY OF DECEMBER 2022 / 21ST AGRAHAYANA, 1944

RP NO. 1098 OF 2022

AGAINST THE JUDGMENTWP(Cr1.) 312/2021 OF HIGH COURT OF
KERALA

REVIEW PETITIONERS/1ST AND 2ND PETITIONERS:

- 1 DR.ANJU R,
AGED 31 YEARS,
D/O.V.RADHAKRISHNA PILLAI, ANANDI, MANAKKARA,
SASTHAMCOTTA P.O, KOLLAM, -690 521, KOLLAM
DISTRICT, KERALA STATE.
- 2 ANANTHU R.,
AGED 30 YEARS, S/O V.RADHAKRISHNA PILLAI, ANANDI,
MANAKKARA, SASTHAMKOTTA P.O, KOLLAM, -690 521,
KOLLAM DISTRICT, KERALA STATE.

BY ADV.I.VINAYAKUMARI

RESPONDENTS/1ST TO 17TH RESPONDENTS:

- 1 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF FINANCE,
NORTH BLOCK, NEW DELHI, PIN- 110 001.
- 2 MINISTRY OF CORPORATE AFFAIRS,
GOVERNMENT OF INDIA, REPRESENTED BY ITS SECRETARY,
'A' WING, SASTRI BHAVAN, RAJENDRA PRASAD BHAVAN,
NEW DELHI - 110 001.
- 3 CENTRAL BUREAU OF INVESTIGATION,

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REPRESENTED BY ITS DIRECTOR, HAVING ITS HEAD OFFICE AT PLOT NO. 5-B, 6TH FLOOR, CGO COMPLEX, LODHI ROAD, NEW DELHI 110003, AND HAVING ITS SPECIAL CRIME BRANCH (SCB) OFFICE AT TC 1757/5, CBI OCR COMPLEX, MUTTATHARA, VALLAKADAVU P.O., THIRUVANANTHAPURAM - 695 008.

- 4 RESERVE BANK OF INDIA (RBI) THROUGH ITS REGIONAL DIRECTOR,
BAKERY JUNCTION, SERVICE ROAD, NANDAVANAM,
VAZHUTHACAUD, THIRUVANANTHAPURAM, KERALA, PIN -695 003, REPRESENTED BY ITS REGIONAL DIRECTOR.
- 5 SECURITIES AND EXCHANGE BOARD OF INDIA, (SEBI)
REPRESENTED BY ITS MANAGER, KOCHI LOCAL OFFICE OF
THE SEBI, 6TH FLOOR, FINANCE TOWER, KALOOR,
ERNAKULAM, PIN- 682 017.
- 6 THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN- 695 001.
- 7 COMPETENT AUTHORITY,
(UNDER SECTION 7 OF THE BANNING OF THE UNREGULATED
DEPOSIT SCHEMES ACT, 2019) SECRETARY, HOME
DEPARTMENT, GOVERNMENT OF KERALA, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM,
PIN-695 001.
- 8 THE INSPECTOR GENERAL OF POLICE,
SOUTH ZONE, OFFICE OF THE INSPECTOR GENERAL OF
POLICE, SOUTH ZONE, NANDAVANAM,
THIRUVANANTHAPURAM, PIN- 695 010.
- 9 STATION HOUSE OFFICER,
SASTHAMKOTTA POLICE STATION (SI OF SASTHAMKOTTA
POLICE STATION), SASTHAMCOTTA -690 521.
- 10 THOMAS DANIEL,
S/O. T.K. DANIEL & MARYKUTTY DANIEL, POPULAR

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TOWERS, VAKAYAR P.O, KONNI,
PATHANAMTHITTA DISTRICT, PIN-689 698.

- 11 PRABHA THOMAS,
W/O THOMAS DANIEL, POPULAR TOWER, VAKAYAR P.O,
KONNI, PATHANAMTHITTA DISTRICT, PIN-689 698.
- 12 RINU MARIAM THOMAS,
D/O THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT, PIN-
689 698.
- 13 RINU MARIAM THOMAS,
D/O THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT, PIN-
689 698.
- 14 RUBA MARY THOMAS,
D/O THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR PO, KONNI, PATHANAMTHITTA DISTRICT, PIN-
689 698.
- 15 RIYA ANN THOMAS,
D/O THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT, PIN-
689 698.
- 16 MARYKUTY DANIEL,
M/O THOMAS DANIEL & W/O D.K.DANIEL, POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT, PIN-
689 698.
- 17 POPULAR TRADERS,
REGISTERED OFFICE, POPULAR TOWERS, VAKAYAR PO,
KONNI, PATHANAMTHITTA DIST., PIN- 689 698,
REPRESENTED BY ITS MANAGING PARTNERS.
- 18 M/S POPULAR FINANCE,
A REGISTERED PARTNERSHIP FIRM HAVING ITS
REGISTERED OFFICE AT POPULAR TOWERS, VAKAYAR PO,

R.P.No.1098, 1099 & 1100 of 2022

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*KONNI, PATHANAMTHITTA DISTRICT, PIN- 689 698,
REPRESENTED BY ITS MANAGING PARTNER THOMAS DANIEL.*

*BY ADVS.
MANU S., DSG OF INDIA
Adv. K. M. Jamaludheen*

*THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
12.12.2022, ALONG WITH RP.1099/2022, 1100/2022, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:*

R.P.No.1098, 1099 & 1100 of 2022

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

MONDAY, THE 12TH DAY OF DECEMBER 2022 / 21ST AGRAHAYANA, 1944

RP NO. 1099 OF 2022

AGAINST THE ORDER/JUDGMENTWP(C) 9580/2021 OF HIGH COURT OF
KERALA

REVIEW PETITIONER/PETITIONER:

DR.KAVYA .A.G.,
AGED 28 YEARS,
W/O.ARJUN R, KAVANJALY, CHELO, PUTHEN CHANTHA
CHAVARA, KOLLAM, -691 583, NOW RESIDING AT
CHARUTHA, NEDUVILAKKARA, THEVALAKKARA P.O, KOLLAM,
PIN-690 524, KOLLAM DISTRICT.

BY ADV.I.VINAYAKUMARI

RESPONDENTS/1ST TO 19TH RESPONDENTS:

- 1 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF FINANCE,
NORTH BLOCK, NEW DELHI, PIN- 110 001.
- 2 MINISTRY OF CORPORATE AFFAIRS,
GOVERNMENT OF INDIA, REPRESENTED BY ITS SECRETARY,
'A' WING, SASTRI BHAVAN, RAJENDRA PRASAD BHAVAN,
NEW-DELHI - 110 001.
- 3 CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY ITS DIRECTOR, HAVING ITS HEAD
OFFICE AT PLOT NO. 5-B, 6TH FLOOR,CGO COMPLEX,
LODHI ROAD, NEW DELHI - 110003, AND HAVING ITS
SPECIAL CRIME BRANCH (SCB) OFFICE AT TC 1757/5,

R.P.No.1098, 1099 & 1100 of 2022

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*CBI OCR COMPLEX, MUTTATHARA, VALLAKADAVU P.O.,
THIRUVANANTHAPURAM - 695 008.*

- 4 *THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN- 695 001.*
- 5 *COMPETENT AUTHORITY,
(UNDER SECTION 7 OF THE BANNING OF THE UNREGULATED
DEPOSIT SCHEMES ACT, 2019) SECRETARY, HOME
DEPARTMENT, GOVERNMENT OF KERALA, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001.*
- 6 *THE INSPECTOR GENERAL OF POLICE,
SOUTH ZONE, OFFICE OF THE INSPECTOR GENERAL OF
POLICE, SOUTH ZONE, NANDAVANAM,
THIRUVANANTHAPURAM, PIN- 695 010.*
- 7 *THE DISTRICT POLICE CHIEF,
PATHANAMTHITTA, OFFICE OF THE SP OF POLICE,
PATHANAMTHITTA, PIN- 689 645.*
- 8 *THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT POLICE,
ADOOR, PIN-691 523.*
- 9 *THE DISTRICT POLICE CHIEF,
KOLLAM, OFFICE OF THE SP OF POLICE,
KOLLAM, PIN- 691 001.*
- 10 *OFFICER-IN-CHARGE OF THEKKUMBHAGAM POLICE STATION,
CHAVARA-691 583.*
- 11 *THE ASSISTANT COMMISSIONER OF POLICE,
KARUNAGAPALLY, KOLLAM.*
- 12 *THOMAS DANIEL,
S/O.T.K. DANIEL & MARYKUTTY DANIEL, POPULAR*

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TOWERS, VAKAYAR P.O, KONNI,
PATHANAMTHITTA DISTRICT, PIN-689 698.

- 13 PRABHA THOMAS,
W/O.THOMAS DANIEL, POPULAR TOWER, VAKAYAR P.O,
KONNI, PATHANAMTHITTA DISTRICT, PIN-689 698.
- 14 RINU MARIAM THOMAS,
D/O.THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT,
PIN-689 698.
- 15 RUBA MARY THOMAS,
D/O.THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR P.O KONNI, PATHANAMTHITTA DISTRICT,
PIN-689 698.
- 16 RIYA ANN THOMAS,
D/O.THOMAS DANIEL & PRABHA THOMAS, POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT,
PIN-689 698.
- 17 MARYKUTY DANIEL,
M/O.THOMAS DANIEL & W/O D.K.DANIEL. POPULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT,
PIN-689 698.
- 18 SAAN POPULAR TRADERS,
LLP.NO AAR. 179 DOOR NO 13/1522,POPULAR TOWERS,
VAKAYAR PO, KONNI, PATHANAMTHITTA DIST, PIN- 689
698, REPRESENTED BY ITS MANAGING PARTNERS RINU
MARIAN THOMAS AND RUBA MARY THOMAS.
- 19 M/S.POPULAR FINANCE,
A REGISTERED PARTNERSHIP FIRM HAVING ITS
REGISTERED OFFICE AT POPULAR TOWERS, VAKAYAR PO,
KONNI, PATHANAMTHITTA DISTRICT, PIN- 689 698,
REPRESENTED BY ITS MANAGING PARTNER THOMAS DANIEL.

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BY ADV.MANU S., DSG OF INDIA

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 12.12.2022, ALONG WITH RP.1098/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.P.No.1098, 1099 & 1100 of 2022

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

MONDAY, THE 12TH DAY OF DECEMBER 2022 / 21ST AGRAHAYANA, 1944

RP NO. 1100 OF 2022

AGAINST THE ORDER/JUDGMENT IN WP(C) 10371/2021 OF HIGH COURT
OF KERALA

REVIEW PETITIONER/PETITIONER:

V.RADHAKRISHNA PILLAI,
AGED 64 YEARS,
S/O.VELAYUDHAN PILLAI, ANANDI, MANAKKARA
SASTHAMKOTTA P.O., KOLLAM 690 521, KOLLAM
DISTRICT.

BY ADV.I.VINAYAKUMARI

RESPONDENTS/1ST TO 17TH RESPONDENTS:

- 1 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF FINANCE,
NORTH BLOCK, NEW DELHI, PIN- 110 001.
- 2 MINISTRY OF CORPORATE AFFAIRS,
GOVERNMENT OF INDIA REPRESENTED BY ITS SECRETARY,
'A' WING, SASTRI BHAVAN, RAJENDRA PRASAD BHAVAN,
NEW-DELHI - 110 001.
- 3 CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY ITS DIRECTOR, HAVING ITS HEAD
OFFICE AT PLOT NO. 5-B, 6TH FLOOR,CGO COMPLEX,
LODHI ROAD, NEW DELHI - 110003, AND HAVING ITS
SPECIAL CRIME BRANCH (SCB) OFFICE AT TC 1757/5,
CBI OCR COMPLEX, MUTTATHARA, VALLAKADAVU P.O.

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THIRUVANANTHAPURAM - 695 008.

- 4 RESERVE BANK OF INDIA (RBI),
THROUGH ITS REGIONAL DIRECTOR, BAKERY JUNCTION,
SERVICE ROAD, NANDAVANAM, VAZHUTHACAUD,
THIRUVANANTHAPURAM.
KERALA PIN-695 003. REPRESENTED BY ITS REGIONAL
DIRECTOR.
- 5 SECURITIES AND EXCHANGE BOARD OF INDIA,
(SEBI) REPRESENTED BY ITS MANAGER, KOCHI LOCAL
OFFICE OF THE SEBI, 6TH FLOOR, FINANCE TOWER,
KALOOR, ERNAKULAM PIN- 682 017.
- 6 THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
PIN- 695 001.
- 7 COMPETENT AUTHORITY,
(UNDER SECTION 7 OF THE BANNING OF THE UNREGULATED
DEPOSIT SCHEMES ACT, 2019) SECRETARY, HOME
DEPARTMENT. GOVERNMENT OF KERALA, GOVERNMENT
SECRETARIAT,
THIRUVANANTHAPURAM. PIN-695 001.
- 8 THE INSPECTOR GENERAL OF POLICE,
SOUTH ZONE, OFFICE OF THE INSPECTOR GENERAL OF
POLICE, SOUTH ZONE, NANDAVANAM,
THIRUVANANTHAPURAM, PIN- 695 010.
- 9 OFFICER-IN-CHARGE OF SASTHAMKOTTA POLICE STATION,
(SI OF SASTHAMKOTTA POLICE STATION). SASTHAMKOTTA
690 521.
- 10 THOMAS DANIEL,
S/O.T.K. DANIEL & MARYKUTTY DANIEL, POPULAR
TOWERS, VAKAYAR P.O, KONNI, PATHANAMTHITTA
DISTRICT, PIN-689 698.

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- 11 PRABHA THOMAS,
W/O THOMAS DANIEL, POPUULAR TOWER, VAKAYAR P.O.
KONNI, PATHANAMTHITTA DISTRICT, PIN-689 698.
- 12 RINU MARIAM THOMAS,
D/O.THOMAS DANIEL & PRABHA THOMAS, POPUULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT.
PIN-689 698.
- 13 RUBA MARY THOMAS,
D/O.THOMAS DANIEL & PRABHA THOMAS, POPUULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT,
PIN-689 698.
- 14 RIYA ANN THOMAS,
D/O.THOMAS DANIEL & PRABHA THOMAS, POPUULAR TOWER,
VAKAYAR P.O, KONNI, PATHANAMTHITTA DISTRICT,
PIN-689 698.
- 15 MARYKUTY DANIEL,
M/O.THOMAS DANIEL & W/O D.K.DANIEL. POPUULAR
TOWER, VAKAYAR P.O, KONNI, PATHANAMTHITTA
DISTRICT, PIN-689 698.
- 16 POPULAR TRADERS,
REGISTERED OFFICE, POPULAR TOWERS, VAKAYAR PO,
KONNI, PATHANAMTHITTA DIST, PIN- 689 698,
REPRESENTED BY ITS MANAGING PARTNERS.
- 17 M/S.POPULAR FINANCE,
A REGISTERED PARTNERSHIP FIRM HAVING ITS
REGISTERED OFFICE AT POPULAR TOWERS, VAKAYAR PO,
KONNI,
PATHANAMTHITTA DISTRICT PIN- 689 698, REPRESENTED
BY ITS MANAGING PARTNER THOMAS DANIEL.

R.P.No.1098, 1099 & 1100 of 2022

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*BY ADVS.
K.M.JAMALUDHEEN
MANU S., DSG OF INDIA*

*THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
12.12.2022, ALONG WITH RP.1098/2022 AND CONNECTED CASES, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:*

ORDER

These review petitions are submitted by the petitioners seeking some clarification in the judgments. As per the common judgment passed by this Court on 18.07.2022, this Court disposed of the writ petitions by recording the submission made by the learned Public Prosecutor that crimes which are the subject matter of these cases were already entrusted to CBI for investigation. It is pointed out by the petitioner that, since the said common judgment does not contain specific details as to before which court the further proceedings are pending, it is causing difficulties to the petitioners.

2. The learned counsel for the petitioner brought my attention to the judgment passed by this Court in W.P.(CrI.).No.373 of 2021, wherein the said case, which is similar in nature, was disposed of by this Court recording the submission made by the learned Government Pleader to the effect that the subject matter raised by the petitioner has already been clubbed with Crime No.2148 of 2020 of Sasthamcotta Police Station and now the CBI has taken over the investigation of the same. The submission

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made by the Learned Public Prosecutor therein that the FIR has been lodged in the Additional Sessions Court-III, Kollam, which is the jurisdictional court, was also recorded. In these cases also, memos have been filed by the learned Government Pleader making the very same statements.

3. In the light of the above and also the memo filed by the Learned Government Pleader, these review petitions are disposed of by modifying the common judgment dated 18.07.2022, by recording the contents of the statement filed by the respondents that the complaints of the petitioners in all these cases are clubbed with FIR.No.2148/2020 of Sasthamcotta Police Station, which now stands transferred to Central Bureau of Investigation as per the order of State Police Chief bearing No.T3-159338/2020 PHQ dated 12/12/2020. The submission of the learned Government Pleader that the FIRs in these cases have been lodged in Additional Sessions Court-III, Kollam, which is the designated court, is also recorded.

Sd/-

ZIYAD RAHMAN A.A.
JUDGE

DG/12.12.22

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APPENDIX OF RP 1098/2022

PETITIONER ANNEXURES

Annexure A1

*A TRUE COPY OF THE JUDGMENT IN WP (CRL.)
NO.373/2021 OF THIS HON'BLE COURT.*

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APPENDIX OF RP 1099/2022

PETITIONER ANNEXURES

Annexure A1

*A TRUE COPY OF THE JUDGMENT IN WP (CRL.)
NO.373/2021 OF THIS HON'BLE COURT.*

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APPENDIX OF RP 1100/2022

PETITIONER ANNEXURES

Annexure A1

*A TRUE COPY OF THE JUDGEMENT IN WP (CRL)
NO 373/2021 OF THIS HONBLE COURT.*

R.P.No.1098, 1099 & 1100 of 2022

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