
(2021) 01 KL CK 0218

In the High Court Of Kerala

Case No : Writ Petition (C) No. 17838 Of 2012

Madhu Parumala

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Citation : (2021) 01 KL CK 0218

Hon'ble Judges : S. Manikumar, CJ;Shaji P. Chaly, J

Bench : Division Bench

Advocate : Sajith Kumar V, C.P. Johny, N.M. Sheena Das, P. Parameswaran Nair, P.K. Manojkumar, T.G. Rajendran, Aravindkumar Babu, P. Vijayakumar

Final Decision : Dismissed

Judgement

S. Manikumar, CJ

1. The petitioner has filed this writ petition with the following prayers:

1. Issue a writ of certiorari or other appropriate writ, order or direction quashing Ext. P1.

2. Issue a writ of mandamus or other appropriate writ, order or direction commanding the respondents to place all records leading to Ext. P1 before

this Hon'ble Court and the Hon'ble Court may be pleased to order further investigation monitored by this Hon'ble Court.

3. To issue a writ of mandamus or other appropriate writ, order or direction commanding respondents 1 to 4 to provide appropriate sanction to

prosecute the accused 1 and 2 in VC. 3/2007/NRK as expeditiously as possible.

4. To issue a writ of mandamus or other appropriate writ, order or direction commanding respondents 1 and 2 to hand over the further investigation

into V.C.3/2007/NRK to Central Bureau of Investigation or any other specialized

agency.

2. On 12th September, 2012, a Division Bench of this Court has passed the following order:

â??Heard learned counsel for the petitioner.

2. Interim application was filed for a direction against respondents 1 to 3 not to file the final report without impleading respondents 6 and 7 as accused

in the charge sheet to be filed before the Vigilance Court. The filing of charge sheet would be in accordance with the procedure contemplated in the

Code. If enough material is pointing out fingers at any particular person and if they are excluded being a party to the criminal case, it is always open to

the complainant or any other person to bring to the notice of the Court and seek for addition of parties as accused as contemplated in Criminal

Procedure Code.

3. As a matter of fact, the relief sought in this I.A virtually amounts to persuade the Court to act as a super investigating agency above the

investigating agency conducting investigation now. Therefore, if the charge sheet is filed without respondents 6 and 7 arrayed as accused, it is always

open to the parties interested to seek proper relief before proper forum in accordance with the procedure.

With these observations we dismiss the I.A.11855/2012.â??

Today, when the matter is taken up for further hearing, learned counsel for the petitioner seeks permission to withdraw the writ petition. Permission is

granted and the writ petition is dismissed as withdrawn.