



2025:KER:16052

W.P.(C) No.6572 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

TUESDAY, THE 25TH DAY OF FEBRUARY 2025 / 6TH PHALGUNA,

1946

WP(C) NO. 6572 OF 2025

PETITIONERS:

- 1 SAIJO HASSAN, AGED 52 YEARS, ADVOCATE, S/O.
HASSAN KANI RAWTHER, EMPIRE BUILDING, EAST OF
HIGH COURT, ERNAKULAM, PIN - 682 018**
- 2 MANUEL KACHIRAMATTAM, AGED 50 YEARS, ADVOCATE,
S/O. K.A. JOHN, AKSHAYA BUILDING, COMPARA
JUNCTION, NEAR CENTRAL POLICE STATION,
ERNAKULAM, PIN - 682 018**
- 3 D. AJITH KUMAR, ADVOCATE, AGED 52 YEARS
S/O. P.P. DINESAN, CHAMBER NO. 337, KERALA HIGH
COURT ADVOCATES' ASSOCIATION GOLDEN JUBILEE
CHAMBER COMPLEX, HIGH COURT P.O., ERNAKULAM, PIN
- 682 020**
- 4 REMA R., ADVOCATE, AGED 50 YEARS, D/O. LATE
RAMAKRISHNAN UNNITHAN, CHAMBER NO. 960, KERALA
HIGH COURT ADVOCATES' ASSOCIATION, GOLDEN
JUBILEE CHAMBER COMPLEX, HIGH COURT P.O.,
ERNAKULAM, PIN - 682 030**
- 5 BENOJ C. AUGUSTINE, ADVOCATE, AGED 46 YEARS
S/O. AUGUSTINE, EMPIRE BUILDING, EAST OF HIGH
COURT, ERNAKULAM, PIN - 682 018**



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BY ADVS.
PHILIP J.VETTICKATTU
NEENU BERNATH
SAJU S. DOMINIC

RESPONDENTS:

- 1 STATE OF KERALA, REPRESENTED BY THE HOME SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001
- 2 THE DIRECTOR GENERAL OF POLICE, STATE POLICE HEADQUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN - 695 010
- 3 THE SUPERINTENDENT OF POLICE, OFFICE OF THE SUPERINTENDENT OF POLICE, UPHILL, MALAPPURAM, PIN - 676 505
- 4 THE STATION HOUSE OFFICER (SHO), PERINTHALMANNA POLICE STATION, PERINTHALMANNA, MALAPPURAM DISTRICT, PIN - 679 322
- 5 SUB INSPECTOR OF POLICE, PERINTHALMANNA POLICE STATION, PERINTHALMANNA, MALAPPURAM DISTRICT, PIN - 679 322
- 6 DIRECTOR OF ENFORCEMENT, DIRECTORATE OF ENFORCEMENT, PRAVARTAN BHAWAN, DR. APJ ABDUL KALAM ROAD, NEW DELHI, PIN - 110 011
- 7 THE ADDITIONAL DIRECTOR, ENFORCEMENT DIRECTORATE, COCHIN ZONAL OFFICE, KANOOS CASTLE, A.K. SHESHADRI ROAD, KOCHI, ERNAKULAM DISTRICT, PIN - 682 011

BY ADVS.
ADVOCATE GENERAL OFFICE KERALA
DIRECTOR GENERAL OF PROSECUTION (AG-10)
SHRI.P.NARAYANAN, SPL. G.P. TO DGP AND ADDL.
P.P. ()



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SHRI.SAJJU.S., SENIOR G.P.()

T.A. SHAJI STATE PUBLIC PROSECUTOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 25.02.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



J U D G M E N T

A. Muhamed Mustaque, J.

We are confronted with an unusual case in a Public Interest Litigation. A Retired Judge of this Court has been named in a First Information Report (FIR). Because of his position as held by him in the constitutional court, it had wide publicity and impact among the public. The lawyers practising in this Court rushed to this Court with a Public Interest Litigation challenging its implication.

2. At the outset, the Director General of Prosecution submitted before this Court that this kind of writ petitions should not be entertained by this Court and there is a system in the investigation team itself to oversee and supervise the investigation and therefore, the police authority will take a final call on these matters.

3. On the last occasion, when the matter was posted before this Court, we ascertained whether there was any application of mind on the part of the investigating officer while naming a former Judge of this Court, Justice C.N.



Ramachandran Nair (Rtd.) as the third accused in the FIR registered by the police. No one is above law. But at the same time, we are also of the view that if such persons are implicated in a crime without there being any application of mind, it affects the credibility and trust of the institution. and would shake the confidence of the public.

4. Today, a written statement handed over to the Director General of Prosecution has been placed before us. We record the concluding portion of the written statement.

"He further sated that Hon'ble Justice (Rtd) C N Ramachandran Nair has no role or knowledge in the day to day functioning or in the financial dealing of the National NGOs Confederation and he further stated that Hon'ble Justice (Rtd) C N Ramachandran Nair has not received any payments from the National NGOs Confederation or any other institutions connected with it. Upon a preliminary verification of the bank accounts of the prime accused and the National NGOs confederation, no payments are seen received by Hon'ble Justice (Rtd) C N Ramachandran Nair. It is submitted that the investigation of the cases connected with the CSR Fund Scam are in preliminary stage, and has not brought out any concrete material to implicate the Hon'ble Justice (Rtd) C N Ramachandran Nair in the above cases at present. "

5. In such view of the matter, the investigation officer is directed to act upon that statement and take



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necessary steps to exclude the name of the former judge of this Court Justice C.N. Ramachandran Nair (Rtd.), from the array of the accused in all crimes.

In the light of the above, we close this writ petition.

Sd/-

**A.MUHAMED MUSTAQUE
JUDGE**

Sd/-

**P. KRISHNA KUMAR
JUDGE**

PR



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APPENDIX OF WP(C) 6572/2025

PETITIONER EXHIBITS

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|-------------------|--|
| Exhibit P1 | TRUE COPY OF THE COMPLAINT DATED NIL
ALONG WITH THE ENGLISH TRANSLATION |
| Exhibit P2 | TRUE COPY OF THE FIR NO.0180/2025 DATED
06.02.2025 REGISTERED IN THE
PERINTHALMANNA POLICE STATION WITH
ENGLISH TRANSLATION OF THE RELEVANT
PORTIONS |
| Exhibit P3 | TRUE COPY OF THE TRUST DEED OF NGO'S
CONFEDERATION DATED 16.02.2024. |
| Exhibit P4 | TRUE COPY OF THE PRESS RELEASE DATED
11.02.2025 ALONG WITH THE ENGLISH
TRANSLATION |
| Exhibit P5 | TRUE COPY OF FIR NO. 147/2025, DATED
09.02.2025 REGISTERED BY BALUSSERY
POLICE STATION, KOZHIKKODE RURAL ALONG
WITH ENGLISH TRANSLATION OF RELEVANT
PORTIONS |
| Exhibit P6 | TRUE COPY OF FIR NO. 148/2025, DATED
09.02.2025 REGISTERED BY BALUSSERY
POLICE STATION , KOZHIKKODE RURAL ALONG
WITH ENGLISH TRANSLATION OF RELEVANT
PORTIONS |