

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

WEDNESDAY, THE 1ST DAY OF MARCH 2023 / 10TH PHALGUNA, 1944

BAIL APPL. NO. 1035 OF 2023

CRIME NO.1266/2022 OF VANCHIYOOR POLICE STATION,

THIRUVANANTHAPURAM

PETITIONER/ACCUSED:

RAJEEV A.R.
AGED 40 YEARS
SIVADHANAM, TC 49/355-1, KAMALESWARAM,
MANACAUD.P.O, THIRUVANANTHPURAM, PIN - 695009.

BY ADVS.
R.ANIL
B.RAMAN PILLAI (SR.)
SUJESH MENON V.B.
THOMAS ABRAHAM (NILACKAPPILLIL)
THOMAS SABU VADAKEKUT
RESSIL LONAN
MAHESH BHANU S.

RESPONDENTS/COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, PIN - 682031.
- 2 ADDL.R2 : BINU MATHEW
S/O.N.K.SARAMMA, TC 4/344, ARA-94, AMBALA NAGAR
ROAD, KOWDIAR.P.O., THIRUVANANTHAPURAM. IS
IMPLEADED AS PER ORDER DATED 21/02/2023 IN CRL.M.A.
NO.1/2023.

- 3 ADDL.R3 : E.K THRESIA
W/O TV THOMAS, TC 11/292, CHRIST NAGAR, KAWDIAR
P.O., THIRUVANANTHAPURAM. IS IMPEADED AS PER ORDER
DATED 21/02/2023 IN CRL.M.A. NO.1/2023.
- 4 ADDL.R4 : N.K.SARAMMA
W/O.LATE K.P.MATHAI, RESIDING AT TC 4/344, ARA-94,
AMBALA NAGAR ROAD, KOWDIAR.P.O.,
THIRUVANANTHAPURAM. IS IMPEADED AS PER ORDER
DATED 21/02/2023 IN CRL.M.A. NO.1/2023.
- 5 ADDL.R5 : T.V THOMAS
S/O T.T GEORGE, TC 11/292, CHRIST NAGAR, KAWDIAR
P.O., THIRUVANANTHAPURAM. IS IMPEADED AS PER ORDER
DATED 21/02/2023 IN CRL.M.A. NO.1/2023.
- 6 N.A ABRAHAM
S/O. ABRAHAM MATHAI, RETIRED BSNL EMPLOYEE,
CONVENOR, BSNL ENGINEERS CO-OPERATIVE SOCIETY LTD
T-950 SAVE FORUM NAITHELLOOR HOUSE, CRA -
K9,KOWDIAR P.O. (IMPEADED AS PER ORDER DATED
01/03/2023 IN CRL.M.A. NO.2/2023)

BY ADVS.
SRI.GRACIOUSKURIAKOSE (ADGP)
SUMAN CHAKRAVARTHY
C.R.REGHUNATHAN
B.HARRYLAL
R.BALAKRISHNAN
K.R.RIJA
AMJATH A.R
RAHUL S.NATH
SRI P.VIJAYAKUMAR

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON
23.02.2023 ALONG WITH B.A.NOS.1131/2023 & 1146/2023, THE
COURT ON 01.03.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

WEDNESDAY, THE 1ST DAY OF MARCH 2023 / 10TH PHALGUNA, 1944

BAIL APPL. NO. 1131 OF 2023

CRIME NO.1266/2022 OF VANCHIYOOR POLICE STATION,

THIRUVANANTHAPURAM

PETITIONER/ACCUSED:

A R GOPINATHAN
AGED 76 YEARS
S/O. T. AYYAPPANPILLAI, RESIDING AT SREEREMANA,
HNRA 326, T.C. 82/334, THIRUVANANTHAPURAM,
PIN - 695035.

BY ADVS.
N.SATHEESH
PRIYA CAROL
P.VIJAYA BHANU (SR.) (K/421/1984)

RESPONDENTS/COMPLAINANT/STATE:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, PIN - 682031
- 2 THE STATION HOUSE OFFICER
VANCHIYOOR POLICE STATION, THIRUVANANTHAPURAM, PIN
- 695035
- 3 N.A ABRAHAM
S/O. ABRAHAM MATHAI, RETIRED BSNL EMPLOYEE,
CONVENOR, BSNL ENGINEERS CO-OPERATIVE SOCIETY LTD
T-950 SAVE FORUM NAITHELLOOR HOUSE, CRA - K9,
KOWDIAR P.O.
(IMPLEADED AS PER ORDER DATED 20/02/2023 IN
CRL.MA. 2/2023)

- 4 BINU MATHEW
S/O.N.K.SARAMMA, TC 4/344, ARA-94, AMBALA NAGAR
ROAD, KOWDIAR.P.O., THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)
- 5 BINU MATHEW
S/O.N.K.SARAMMA, TC 4/344, ARA-94, AMBALA NAGAR
ROAD, KOWDIAR.P.O., THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)
- 6 E.K THRESIA (SOUGHT TO BE IMPLEADED)
W/O TV THOMAS, TC 11/292, CHRIST NAGAR, KAWDIAR
P.O, THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)
- 7 E.K THRESIA
W/O TV THOMAS, TC 11/292, CHRIST NAGAR, KAWDIAR
P.O, THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)
- 8 N.K.SARAMMA
W/O.LATE K.P.MATHAI, RESIDING AT TC 4/344, ARA-94,
AMBALA NAGAR ROAD, KOWDIAR.P.O.,
THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)
- 9 N.K.SARAMMA
W/O.LATE K.P.MATHAI, RESIDING AT TC 4/344, ARA-94,
AMBALA NAGAR ROAD, KOWDIAR.P.O.,
THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)

10 T.V THOMAS
/O T.T GEORGE, TC 11/292, CHRIST NAGAR, KAWDIAR
P.O, THIRUVANANTHAPURAM
(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)

11 T.V THOMAS
/O T.T GEORGE, TC 11/292, CHRIST NAGAR, KAWDIAR
P.O, THIRUVANANTHAPURAM.

(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)

BY ADVS.
P.VIJAYAKUMAR
SUMAN CHAKRAVARTHY
SHRI GRACIUOS KURIAKOSEADDL.DIRECTOR GENERAL OF
PROSECUTION (AG-11)
C.R.REGHUNATHAN
B.HARRYLAL
R.BALAKRISHNAN
RAHUL S.NATH
K.R.RIJA
AMJATH A.R

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON
23.02.2023 ALONG WITH B.A.NOS.1035/2023 & 1146/2023, THE
COURT ON 01.03.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

WEDNESDAY, THE 1ST DAY OF MARCH 2023 / 10TH PHALGUNA, 1944

BAIL APPL. NO. 1146 OF 2023

AGAINST THE ORDER IN CR.NO.81/2023 OF DISTRICT COURT &

SESSIONS COURT, TRIVANDRUM

PETITIONER/ACCUSED:

MURTHY P.R,
AGED 63 YEARS,
RESIDING AT 6E, CORDIAL CORONA, NANTHANCODE,
KOWDIAR P.O., THIRUVANANTHAPURAM, PIN - 695003.

BY ADVS.
ASWINI SANKAR R.S.
K.RAMAKUMAR (SR.)
T.RAMPRASAD UNNI
S.M.PRASANTH
T.H.ARAVIND

RESPONDENTS/ACCUSED:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, PIN - 682031.
- 2 THE DEPUTY POLICE SUPERINTENDENT
CRIME BRANCH-ECONOMIC OFFENCES WING, PETTAH,
THIRUVANANTHAPURAM, PIN - 695024.

3 N.A ABRAHAM,
S/O. ABRAHAM MATHAI, RETIRED BSNL EMPLOYEE,
CONVENOR, BSNL ENGINEERS CO-OPERATIVE SOCIETY LTD
T-950 SAVE FORUM NAITHELLOOR HOUSE, CRA - K9,
KOWDIAR P.O.

(IMPLEADED AS PER ORDER DATED 01/03/2023 IN
CRL.MA. 4/2023)

BY ADVS.
P.VIJAYAKUMAR
GRACIUOS KURIAKOSE ADDL.DIRECTOR GENERAL OF
PROSECUTION (AG-11)
C.R.REGHUNATHAN
B.HARRYLAL
R.BALAKRISHNAN

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON
23.02.2023 ALONG WITH B.A.NOS.1035/2023 & 1131/2023, THE
COURT ON 01.03.2023 DELIVERED THE FOLLOWING:

“C.R”

A. BADHARUDEEN, J.

=====
*B.A.No.1035 of 2023,
B.A.No.1131 of 2023
and
B.A.No.1146 of 2023*
=====

Dated this the 1st day of March, 2023

C O M M O N O R D E R

B.A.No.1035/2023 is an anticipatory bail application filed by the 3rd accused under Section 439 of the Code of Criminal Procedure in Crime No.1266 of 2022 of Vanchiyoor Police Station, Thiruvananthapuram, alleging commission of offences punishable under Sections 408, 409, 420, 477 r/w 34 of the Indian Penal Code. The 1st accused in the above crime has filed B.A.No.1131/2023 seeking anticipatory bail. Similarly, accused No.6 in the above crime seeks anticipatory bail in

B.A.No.1146/2023.

2. Heard the learned Senior Advocate Shri K.Ramakumar appearing for the 6th accused; learned Senior Advocate Shri P.Vijaya Bhanu appearing for the 1st accused; learned Advocate Sri R.Anil, representing learned Senior Advocate Shri B.Raman Pillai appearing for the 3rd respondent and the learned Public Prosecutor as well as the learned Senior Counsel Shri P.Vijayakumar and Shri Suman Chakravarthy appearing for the respective defacto complainants, in detail.

3. The prosecution allegation is that the accused persons, who are the Director Board members and staff of BSNL Engineers Co-operative Society Ltd. T 950 (hereinafter referred to as 'Society' for convenience) had received fixed deposits from the depositors and siphoned off an amount of Rs.44,14,37,950/- (Rupees Forty four crores fourteen lakhs thirty seven thousand ninety hundred and fifty only) in between 01.06.2019 to

16.06.2020 by maintaining parallel registers and, by issuing forged fixed deposit receipts. The learned counsel for the 6th accused would submit that the 6th accused has no involvement in this crime and he is a person, who *bona fidely* made deposit to the tune of Rs.1 crore as per Annexure-A4, copies of fixed deposit receipts produced along with the bail application. It is submitted further that the said amount includes the amount of 87 year old mother of the 6th accused also. Therefore, the allegation against the 6th accused that he had misappropriated the amount of the society along with the other accused, is absolutely false and, therefore, the petitioner is liable to be released on anticipatory bail.

4. The learned Senior Counsel also submitted that, in fact, the 6th accused is the person, who had lodged complaint regarding scam in the society as on 20.11.2022. It is also pointed out by the learned Senior Counsel that it is at the instance of the 6th accused, the crime was registered and the investigation has been going on.

But shockingly the complainant also got arrayed as an accused, on flimsy reasons without justification. Ultimately, it is submitted by the learned counsel for the 6th accused that custodial interrogation of the 6th accused is not necessary, as the investigation could very well be possible otherwise, since there is no allegation for the prosecution that there is either conspiracy or common intention for the accused in commission of the crime, since no offences under Section 120B or 34 of the IPC was incorporated in the FIR.

5. While pressing for anticipatory bail to the 1st accused, learned Senior Advocate P.Vijaya Bhanu submitted that even as per the prosecution case, the period of misappropriation is in between 01.06.2019 to 16.06.2020. According to the learned counsel for the 1st accused, the 1st accused was the Secretary of the society initially from 1987 onwards and there was no allegation of any misappropriation during the period when the 1st accused was the Secretary of the society and allegation arose for the first time when

he took the responsibility of the President because of his age old condition. That shows the innocence of the petitioner. It is also pointed out that there is no reason to have custodial interrogation of the petitioner who held the post of Secretary for a period of 30 years starting from 1987 without room for any complaints. Highlighting the relevant documents forming part of the case diary, the learned counsel pointed out that the allegation of misappropriation is pertaining to the period in between 1.6.2019 to 16.06.2020.

6. Advocate R.Anil, who appeared for the 3rd accused would submit that the 3rd accused was the one and only staff working in the society. He had acted in accordance with the directions of the administrative committee and, therefore, he is absolutely innocent and the prosecution could not justify impleadment of the 3rd accused in this crime. The learned counsel placed reliance on Ext.R2(1) and R2(m) produced by the defacto

complainant to contend that the said documents also did not show amazement of wealth disproportionate to the income of the 3rd accused, since these documents would go to show that though the petitioner herein registered 2 companies in the name of his wife and his brother and the working capital of the said company is only Rs.5 lakh. No records are available to the prosecution to show that the petitioner had amazed wealth or misappropriated any amount. Therefore, he deserves pre-arrest bail and he is ready to co-operate with the investigation and to subject himself for interrogation.

7. Advocate P.Vijayakumar, who appeared for N.A.Abraham, who is the convener of the action council for BSNL Engineers Co-operative Society, impleaded in two matters as additional respondent, argued at length to convince this Court that the petitioners do not deserve the discretionary relief of pre-arrest bail and allegation of the 6th accused that the case itself was registered on the basis of the complaint lodged by the 6th accused is

patently unsustainable and it is submitted that this crime was registered acting on the report of the Assistant Registrar General of Co-operative Society emerged as the outcome of an internal inspection. The learned counsel pointed out that deposits worth Rs.200 Crores belonged to 1613 members, as could be seen from Annexure-R2(j) document, who are BSNL employees and BSNL retired employees, in the evening stage of their life, were misappropriated by the President, Secretary, administrative members and the only one staff Mr.Rajeev of the Society and they amassed wealth disproportionate to their income since by the time the prosecution attached 57 items of properties belonged to the 1st accused and 18 items of properties purchased by the 6th accused and two flats and other properties purchased by the 3rd accused, inclusive of diversion of misappropriated money to two companies by the 3rd accused in the names of his wife and relatives. He would submit further that detailed investigation as to the remaining assets

they had amazed by diverting the money of the depositors during the relevant period, is on the anvil. The learned counsel would submit that as per Section 4(A) of the bye-law governing the administration of the Society, it is specifically provided that, on retirement from service every employee of the BSNL will lose their membership and they shall not continue as members in the Society. Here, as per the records, the petitioners herein held the post of President and Secretary even after their retirement and thereafter they misappropriated huge amount. They amazed assets disproportionate to their income and the same itself is dubious circumstance and in such a case, arrest, custodial interrogation and the way in which the money was misappropriated are absolutely necessary and in such a case, anticipatory bail cannot be granted.

8. Advocate Suman Chakravarthy, who appeared for another defacto complainant, impleaded as additional respondent, also supported the argument tendered by learned Senior Advocate

P.Vijayamukar and he has placed decision of the Apex Court reported in [(2005) 13 SCC 234], ***Himanshu Chandravadan Desai & Ors. v. State of Gujarat*** and argued that when the crime in which the accused are involved is very serious involving a conspiracy to cheat and defraud public institutions in a systematic manner and the punishment is likely to be severe in the event of conviction, in such cases involving systematic fraud, grant of bail should not be liberal.

9. The learned Additional Director General of Prosecution ('ADGP' for short hereinafter), who appeared for the State, also pointed out the seriousness of the offences, while stressing the need of custodial interrogation. It is submitted by the learned ADGP that the investigation so far conducted revealed that the misappropriation of money would come to about Rs.300 crores. It is also pointed out by the learned ADGP that involvement of the 1st and 6th accused being President and Secretary of the Society and

the 3rd accused the one and only staff of the Society, in misappropriating huge amount by maintaining parallel registers and fake fixed deposit receipts has been revealed *prima facie*, during investigation and its magnitude is in a much wider canvass and the same requires investigation by effecting arrest and custodial interrogation. It is also pointed out that amazement of wealth, by the petitioners disproportionate to their income would establish *prima facie* that they had misappropriated the amount and amazed wealth abundantly by using the amount so misappropriated.

10. Regarding involvement of the 6th accused, the learned ADGP would submit that he is the one and only staff of the society and he had also amazed wealth and he had started two companies in the name of his wife and brother. That apart, the details of his properties, he had purchased, are at the hands of the Investigating Officer, who traced it out and detailed investigation to locate those

items also on the doorstep. Therefore, complicity of the 3rd accused could not be read in isolation since his active role in this scam is well made out, *prima facie*.

11. On perusing the prosecution records on par with the arguments advanced by the respective learned counsel in this matter, the prosecution alleges misappropriation of Rs.44,14,37,950/- from the Society by the President, Secretary, administrative members and staff of the society during period from 01.06.2019 to 16.06.2020. The Registrar of Co-operative Societies on 30.11.2022 ordered to conduct an inquiry into the misappropriation alleged to be done by the accused and for the said purpose constituted a team headed by Jyothi Prasad, Assistant Registrar General Smt. R.Prameela along with Shri K.Shankar, Spl.Grade Inspector, Senior Inspector Shri V.Hariprasad and Spl.Grade Inspector Shri Ajithkumar, Office of the Assistant Registrar of Nedumangad Taluk Co-operative Society to inquire

into the misappropriations. The report deals with many matters. In the report it has been stated that as per clause 4(A) of the bye-law of the Society, any person, who is not below the rank of a Junior Engineer could be 'A' class member of the Society and as and when he would retire from his official rank, his membership would be cancelled automatically. However, at the time of inspection, it was noticed by the inspection team that A.R.Gopinathan (A1), the President of the Society, who retired from service on 31.10.2008, continued his membership as against the Bye-law of the Society even after cessation of his membership in the Society and he continued in the post of Secretary for a long period till transposing the post of President, as of now, as against the sanction of the bye-law. Similarly, K.V.Pradeep Kumar, the honorary Secretary who retired on 31.01.2020, S.S.Maya retired on 31.01.2020, P.R.Moorthy (A6) retired on 31.05.2019, along with other members in service, continued their membership and membership in the

administrative committee against the bye-law and even after cessation of their membership, as per the bye-law. Though it is submitted by Advocate P.Vijaya Bhanu that they have been duly selected by the electoral body and, therefore, they need not be blamed for continuing as members of the administrative committee even though as per Section 4A of the bye-law, their membership stands terminated on retirement. I do not think that this explanation is sufficient to justify their continuance either as members or as administrative committee members. To the contrary, they have been continuing as such, may be, to hide the misappropriation.

12. It is relevant to note further that as per the report of the inspection team, it was found that there was patent violation of Sections 182 and 185 of the Kerala Societies Act. On scrutiny of the available records of the bank, it was noticed by the inspection team that the bank deposit is comparatively low and the same

would come to a lesser portion of the actual deposit. It is reported further that forged fixed deposit receipts were kept detached from the original deposit registers and as per the datas the deposit in relation to the Society is Rs.48.98 lakhs as on 30.11.2022, though the parallel registers and fake fixed deposit receipts and fixed deposits showed the deposit to Crores of rupees. Thus it appears that the report of the inspection team, which is on a wider plank, in fact, led to registration of this crime. Therefore, the contention raised by the 6th accused that it was at his instance the instant crime was registered, also is of no avail to him.

13. The learned ADGP relied on witness statements recorded from Indira, Raju etc. to point out that the 6th accused is the person, who managed everything with the connivance of the other accused. Regarding Annexure-A4 Fixed Deposit receipts produced by the 3rd accused also, the learned ADGP pointed out that the same are found to be forged receipts by the investigating

officer, managed to raise plea of innocence by the 6th accused and to canvass anticipatory bail. The learned ADGP read out the documents and witness statements in detail while pointing out the complicity of the petitioners herein in minute niceties, on the submission that arrest and custodial interrogation of the petitioners are absolutely necessary in this case and as such pre-arrest bail could not be granted.

14. Decisions reported in [2019 KHC 6886], ***Chidambaram P. v. Directorate of Enforcement***; [1997 KHC 1035], ***State Rep. By the C.B.I v. Anil Sharma***, [2013 KHC 4402], ***Jagan Mohan Reddy Y.S v. Central Bureau of Investigation***; [2015 KHC 4657], ***Sudhir v. State of Maharashtra & anr.*** have been placed by the learned ADGP and the learned counsel appearing for the defacto complainants to point out the fact that while considering anticipatory bail applications involving economic offences, the power under Section 438 of Cr.P.C, being an extraordinary remedy,

has to be exercised sparingly, otherwise the same would adversely affect the investigation.

15. In this connection, it has to be observed that when persons apprehending arrest in non-bailable offences approach the Courts by resorting to Section 438 of Cr.P.C, the Courts having power to grant the relief of pre-arrest bail, not as a matter of right, but purely, as a matter of discretion, should evaluate the materials available *prima facie* to see the culpability of the accused and the consequence of granting pre-arrest bail. If grant of pre-arrest bail is akin to hampering the investigation where arrest and custodial interrogation are necessary, the Courts shall not exercise the discretion in favour of the persons who seek the discretionary relief. When misappropriation of huge amount of money is involved, the care must be more, in order to ensure that effective investigation shall not either be stalled or disturbed by granting pre-arrest bail.

16. On perusal of the case diary along with the report of the investigation team, it is well established *prima facie* that the petitioners herein manipulated records and misappropriated Rs.44,14,37,950/- at the time of registration of the F.I.R and as per the submission made by the learned ADGP, now it would come to more than Rs.300 crores, as espoused during the investigation. In such a case involving misappropriation of huge amount, if the petitioners will be released on anticipatory bail, infringing the opportunity of the Investigating Officer to have actual custodial interrogation to effectuate meaningful investigation and eventual prosecution with a view to find out the details of misappropriation, including the details of diversion of the amount involved, the same would not only hamper the investigation, but also would destroy the investigation or otherwise the same has the effect of an honourable acquittal.

Therefore, the bail applications stand dismissed and the

Investigating Officer can arrest the petitioners and proceed under law to effectuate the investigation and to make the same as meaningful.

Sd/-

(A. BADHARUDEEN, JUDGE)

rtr/

APPENDIX OF BAIL APPL. 1035/2023

PETITIONER'S ANNEXURES

Annexure-A CERTIFIED COPY OF THE ORDER IN CRL.M.C.NO.2930/2022 AND 2952/2022 OF THE COURT OF THE SESSIONS JUDGE, THIRUVANANTHAPURAM DATED 21-1-2023

RESPONDENTS' ANNEXURES

Annexure R2 (a) TRUE COPY OF THE COMPLAINT DATED 14/12/2022 GIVEN BY THE PETITIONER HEREIN AND OTHERS BEFORE THE DIRECTOR GENERAL OF POLICE

Annexure R2 (b) TRUE COPY OF THE RECEIPT TO ANNEXURE R2 (A) DATED 16/12/2022

Annexure R2 (c) TRUE COPY OF THE COMPLAINT DATED 14/12/2022 SUBMITTED BEFORE THE STATION HOUSE OFFICER, VANCHIYOOR POLICE STATION

Annexure R2 (d) TRUE COPY OF THE RECEIPT TO ANNEXURE R2 (C) DATED 16/12/2022

Annexure R2 (e) TRUE COPY OF THE NEWSPAPER REPORTS, IN THE 'MATHRUBHUMI' DATED 13.01.2023

Annexure R2 (f) TRUE COPY OF THE NEWSPAPER REPORT, IN THE 'MATHRUBHUMI' DATED 07.01.2023

Annexure R2 (g) TRUE COPY OF THE NEWSPAPER REPORT, IN THE 'HINDU' DATED 27/12/2022

Annexure R2 (h) TRUE COPY OF THE SAID FIR DATED 24/12/2022 IN CRIME NO.1266/2022 OF VANCHIYOOR POLICE STATION, TRIVANDRUM DISTRICT

Annexure R2 (i) TRUE COPY OF THE INSPECTION REPORT DATED 07/12/2022 SUBMITTED BY THE OFFICIAL TEAM DEPUTED BY JOINT REGISTRAR OF CO-OPERATIVE SOCIETY

Annexure R2 (j) TRUE COPY OF THE DETAILS OF DEPOSITORS AND DEPOSITS REMAINING UNRETURNED IN SPITE OF MATURITY, AS THE ENQUIRIES MADE BY THE DEPOSITORS UP TO 13/1/2023

Annexure R2 (k) TRUE COPY OF THE LIMITED INFORMATION BY THE ACCUSED INCLUDING THE FORMER PRESIDENT A.R GOPINATHAN AND BAIL PETITIONER/A.R.RAJEEV

Annexure R2 (l) TRUE COPIES OF THE OFFICIAL WEBSITE PAGES SHOWING CONSTITUTION OF SHELL FINANCE COMPANIES IN THE NAMES OF BAIL PETITIONER AND HIS WIFE

Annexure R2 (m) TRUE COPIES OF THE OFFICIAL WEBSITE PAGES SHOWING CONSTITUTION OF SHELL FINANCE COMPANIES IN THE NAMES OF BAIL PETITIONER AND HIS WIFE

Annexure R2 (n) TRUE COPY OF THE NEWSPAPER REPORT APPEARED IN MATHRUBHUMI DAILY DATED 11/02/2023 RELATED TO THE REVELATION AVAILABLE ON POLICE INVESTIGATION

Annexure R2 (o) TRUE COPY OF THE NEWSPAPER REPORT THAT COME IN THE 'TIMES OF INDIA' DAILY DATED 02/02/2023

Annexure R2 (p) TRUE COPY OF THE ORDER DATED 21.01.2023 IN CRLMC2930/2022 BEFORE SESSIONS COURT, THIRUVANANTHAPURAM

APPENDIX OF BAIL APPL. 1131/2023

PETITIONER'S ANNEXURES

- Annexure I TRUE COPY OF THE FIR IN CRIME NO. 1266/2022 OF VANCHIYOOR POLICE, THIRUVANANTHAPURAM
- Annexure II TRUE COPY OF THE ORDER I.A. NO. 1/2023 IN ARC NO. 18/2023 OF ADDITIONAL REGISTRAR (CREDIT) ARBITRATION DATED 13-01-2023
- Annexure III TRUE COPY OF THE COMMON ORDER DATED 21-01-2023 IN CRL. M.C. 2952/2022 AND 2930/22 OF THE DISTRICT AND SESSIONS COURT, THIRUVANANTHAPURAM

RESPONDENTS' ANNEXURES

- Annexure R3(a) TRUE COPY OF THE COMPLAINT DATED 14.12.2022 GIVEN BY THE PETITIONER HEREIN AND OTHERS BEFORE THE DIRECTOR GENERAL OF POLICE
- Annexure R3(b) TRUE COPY OF THE RECEIPT TO ANNEXURE R2(A) DATED 16.12.2022
- Annexure R3(c) THE TRUE COPY OF THE COMPLAINT DATED 14/12/2022 SUBMITTED BEFORE THE STATION HOUSE OFFICER, VANCHIYOOR POLICE STATION
- Annexure R3(d) TRUE COPY OF THE RECEIPT TO ANNEXURE R2(C) DATED 16.12.2022
- Annexure R3(e) TRUE COPY OF THE NEWSPAPER REPORTS, IN THE 'MATHRUBHUMI' DATED 13.01.2023
- Annexure R3(f) TRUE COPY OF THE NEWSPAPER REPORTS, IN THE 'MATHRUBHUMI' DATED 07.01.2023
- Annexure R3(g) TRUE COPY OF THE NEWSPAPER REPORTS, IN THE 'HINDU' DATED 27.12.2022
- Annexure R3(h) TRUE COPY OF THE SAID FIR NO. 1266/2022 DATED 24/12/2022 VANCHIYOOR POLICE STATION, THIRUVANANTHAPURAM
- Annexure R3(i) THE TRUE COPY OF THE INSPECTION REPORT DATED 07/12/2022 SUBMITTED BY THE OFFICIAL TEAM DEPUTED BY JOINT REGISTRAR OF CO-OPERATIVE SOCIETY
- Annexure R3(j) TRUE COPY OF THE DETAILS OF DEPOSITORS AND DEPOSITS REMAINING UNRETURNED IN SPITE OF MATURITY, AS THE ENQUIRIES MADE BY THE DEPOSITORS UP TO 13/1/2023
- Annexure R3(k) TRUE COPY OF THE LIMITED INFORMATION BY THE ACCUSED INCLUDING THE FORMER PRESIDENT A.R GOPINATHAN /THE PETITIONER IN THE ABOVE CASE AND A.R RAJEEV AND THEIR RELATIVES
- Annexure R3(l) THE TRUE COPY OF THE OFFICIAL WEBSITE PAGES SHOWING CONSTITUTION OF SHELL FINANCE COMPANIES IN THE NAMES OF THE RELATIVES ALONG WITH A.R RAJEEV AND HIS WIFE
- Annexure R3(m) THE TRUE COPY OF THE OFFICIAL WEBSITE PAGES SHOWING CONSTITUTION OF SHELL FINANCE COMPANIES IN THE NAMES OF THE RELATIVES ALONG WITH A.R RAJEEV AND HIS WIFE

Annexure R3 (n) TRUE COPY OF THE NEWSPAPER REPORT APPEARED IN MATHRUBHUMI DAILY DATED 11/02/2023 RELATED TO THE REVELATION AVAILABLE ON POLICE INVESTIGATION

Annexure R3 (o) THE TRUE COPY OF THE NEWSPAPER REPORT THAT COME IN THE 'TIMES OF INDIA' DAILY DATED 02/02/2023

Annexure R3 (p) TRUE COPY OF THE COMMON ORDER DATED 21.01.2023 IN CRLMC 2952/2022 BEFORE SESSIONS COURT, THIRUVANANTHAPURAM.

APPENDIX OF BAIL APPL. 1146/2023

PETITIONER'S ANNEXURES

- Annexure A TRUE COPY OF MINUTES OF MEETING OF BOARD OF DIRECTORS HELD ON 12..11..2022
- Annexure A2 TRUE COPY OF COMPLAINT DATED 20..11..2022 SUBMITTED BY THE MEMBERS OF THE BOARD OF DIRECTORS OF BSNL ENGINEERS CO-OPERATIVE SOCIETY LIMITED TO THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
- Annexure A3 TRUE COPY OF FIRST INFORMATION REPORT NO. 1266 DATED 24..12..2022 OF THE VANCHIYOOR POLICE STATION, THIRUVANANTHAPURAM
- Annexure A4 TRUE COPIES OF FIXED DEPOSIT RECEIPTS ISSUED BY THE BSNL ENGINEERS' CO-OPERATIVE SOCIETY LIMITED