

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE A. BADHARUDEEN**

**Tuesday, the 17th day of March 2026 / 26th Phalguna, 1947
CRL.M.APPL.NO.1/2026 IN CRL.MC NO. 2455 OF 2026**

CRIME NO.3700/2025 OF CRIME BRANCH, THIRUVANANTHAPURAM

**CRMP 84/2026 OF COURT OF ENQUIRY COMMISSIONER AND SPECIAL JUDGE (VIGILANCE),
KOLLAM**

APPLICANT/PETITIONER/RESPONDENT/COMPLAINANT:

**STATE OF KERALA, REPRESENTED BY THE SUPERINTENDENT OF POLICE SPECIAL
INVESTIGATION TEAM CRIME BRANCH (CU-IV), THIRUVANANTHAPURAM THROUGH
THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031.**

RESPONDENT/RESPONDENT/PETITIONER/ACCUSED NO.16:

**KANDARARU RAJEEVARU@ RAJEEV T., AGED 66 YEARS, S/O KANDARARU,
KRISHNARARU, THAZHMON MADOM MUNDANKKAV DESOM CHENGANNUR TALUK
ALAPPUZHA, PIN - 689124.**

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to stay the adverse observations against the investigation made by the learned enquiry Commissioner and Special Judge (Vigilance), Kollam, in paragraphs 79, 80, 87 and 88 and other related paragraphs of the Order dated 18.02.2026 in Crl.M.P. No. 84/2026, pending disposal of the above CrI.M.C., in the interest of justice.

This Application coming on for orders upon perusing the application and upon hearing the arguments of DIRECTOR GENERAL OF PROSECUTION(DGP) for the petitioner, the court passed the following:

P.T.0

A. BADHARUDEEN, J.

Crl.M.C. No.2455 of 2026

Dated this the 17th day of March, 2026

ORDER

Heard the learned Director General of Prosecution (DGP) appearing for the appellant, the State of Kerala. Perused the order under challenge. The learned DGP submitted that the observations in the order holding the view that *prima facie* no materials are available against the respondent herein is without verification of the prosecution records and the case diary by the learned Special Judge. He also submitted that, prosecution records are in abundance to show *prima facie* the role of the respondent in this crime.

2. Since this matter requires detailed hearing to address the grievance advanced by the learned DGP, the matter is admitted.

3. Issue notice to the respondent by registered post with hearing date on 07.04.2026 as well as by serving copy of this petition directly by the Investigating Officer.

Post for hearing on 07.04.2026.

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Since the investigation in this matter is going on, the

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learned DGP would submit that the observations in the impugned order giving clean chit to the respondent would stand in the way of filing of Final Report against the respondent/accused No.16 and therefore, the operation of the same may be stayed for the time being, till disposal of the petition. On perusal of the order, the apprehension expressed by the learned DGP found to be *prima facie* sustainable. The rational is that the Division bench of this Court has been monitoring the investigation and recorded satisfaction regarding the investigation, including arraying the respondent as an accused in this crime. Be it so, the challenge raised against the observation is having force, *prima facie*. Therefore, the observations of the learned Special Judge giving clean chit to the respondent would require consideration on close scrutiny of the prosecution records, on hearing both sides.

In view of the matter, the operation of the observations made in the impugned order giving clean chit to the respondent herein/accused No.16, shall stand stayed till 07.04.2026.

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Sd/-
A. BADHARUDEEN
JUDGE