

IN THE COURT OF THE SPECIAL JUDGE, (SPE/CBI)-I, ERNAKULAM

Present:- Sri. K. Sathyan, Special Judge, Ernakulam
Saturday the 27th day of April, 2019/ 7th Vaisakha, 1941

Crl.M.P. No.268/2019 in C.C.No.01/2018

Petitioner:

Manju Meera, aged 52, W/o.Late K.Jayan, Jayan Nivas, Ilampakapilly.P.O., Pin-683544, Vengoor West, Koovappady, Perumbavoor, Ernakulam District.

By Adv. Sri. Thomas Abraham

Respondent:

1. The Central Bureau of Investigation Cochin
By Public Prosecutor CBI
2. Bank of India, Ezhikkara Branch, represented by Manager
By Adv. Sri. Jithin Paul Varghese

This petition coming on for hearing before me on 25.04.2019 and the Court on 27.04.2019 passed the following:

ORDER

1. This is an application filed by Mrs.Manju Meera. She is the widow of late K.Jayan, the second accused, for release of documents mentioned as D.Nos.82 and 83 in the final report.

2. The first respondent submitted a formal objection. The second respondent, the bank, has filed a counter affidavit that late Jayan has cleared all the

debts due to the bank and therefore those documents are no longer required by the bank. The said documents were seized by the investigating agency and produced before the court.

3. The second accused, along with two others are prosecuted for offences punishable under Sections 120B IPC r/w Sections 420, 468 and 471 of IPC and Section 13(2) r/w section 13(1)(d) of Prevention of Corruption Act, 1988. The allegation against the accused persons relate to sanctioning and disbursing of short term Agricultural Cash Credit advances under the Kisan Credit Card Scheme during 2007 – 08 from Bank of India, Ezhikkara by accused No.1, who was the then Manager and the misutilisation of the same by the creditors on the basis of a conspiracy hatched by the accused persons.

4. D.Nos.82 and 83 are original title deeds of the year 2005 which were seized by the investigating agency during investigation and produced before the court. The affidavit filed by the second respondent will indicate that late Jayan has cleared all the debts due to the second respondent and that the said documents are no longer required by the bank. It was submitted by the learned Public Prosecutor during hearing that the prosecution has no objection, in view of the affidavit of second respondent, to release the documents if they are substituted with certified copies.

5. Therefore, this petition is allowed as follows:-

1) Documents mentioned as D82 and D83 in the final report are returned to the petitioner who is the wife of late Jayan, the second accused on condition that the said documents are substituted with certified copies obtained from the office of the Sub Registrar concerned.

2) The petitioner shall produce documents D82 and D83 as and when required by the court.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court this the 27th day of April, 2019.

Sd/-
K. Sathyan
Special Judge (SPE/CBI)-I

Appendix: Nil

Id/-
Special Judge (SPE/CBI)-I
(By Order)

//True Copy//

Sheristadar

Typed by: Sindhu.S.T.
Comp.by:

Copy of
Order in Crl.M.P.No.268/2019
in
C.C.No.01/2018
Dated: 27.04.2019