

IN THE COURT OF THE SPECIAL JUDGE (SPE/CBI)-I, ERNAKULAM
Present: Sri. P.K. Mohandas, Special Judge (SPE/CBI) -I,
Ernakulam

Tuesday the 21st day of October, 2025 /29th Aswina, 1947.

Crl.M.P. No.262/2025

In

CC No. 05/2012

Petitioner/Complainant- : CBI/ACB Cochin
Represented by Smt. Ramya Prasad
(Public Prosecutor, CBI).

Respondent/Accused : N Velmurugan & Others

This petition coming on for hearing before me on 21.10.2025 and the Court on the same day passed the following:

ORDER

This is an application filed under section 311 CrPC for summoning additional witnesses.

2. The case is taken on file against the accused for offence U/s. 120B IPC r/w.s.13(2) r/w.s.13(1) (d) of the PC Act, 1988. The case of the prosecution is that the first and second accused entered into criminal conspiracy to obtain pecuniary advantage in connection with issuance of star classification to hotels. In furtherance of the conspiracy with the 3rd and 4th accused, M/s Hotel Soorya

Regency, Malappuram and its Managing Director, they demanded and accepted illegal gratification by way of cash and gifts from the 3rd and 4th accused through the CEO of A3 Company.

3. Now the trial of the case is in progress and 10 witnesses examined on the side of the prosecution.

4. This petition is filed by the Prosecutor to summon additional witness. According to her, during the surprise check conducted at the office of the first and 2nd accused on 01/10/2011, an A4 sheet paper containing names of hotels with their phone numbers in the handwriting of the 2nd accused and a slip with printing "Malabar Palace, Kozhikode" wherein the name of hotels and amounts were scribbled by 2nd accused were seized. To obtain an expert opinion, specimen signatures of 2nd accused were collected in the presence of independent witness, Mr.K. P. Peter, Wireman, KCESD-II, CPWD Kochi. Examination of this witness is necessary to prove the collection of specimen signature.

5. According to the Prosecutor, during the investigation, the admitted signatures of the 2nd accused were also collected for taking expert opinion after comparing the documents seized with his writings. For identifying his admitted signature, Sri.P K Kunhan, Nishantham, Near Kitex Ltd, Vilangu P. O., Kizhakkambalam, Ernakulam" who was working as Tourist Information officer,

India tourism Kochi, is to be examined as witness.

6. According to her, during the surprise check, two Titan watches, accepted by 2nd accused as illegal gratification from the 4th accused were seized. To prove that these watches were purchased by 3rd and 4th accused, Sri. Hari, the Manager, and Noushad, the Salesman of M/s.Titan One, Makkah Tower, Court Road, Manjeri, are to be summoned.

7. According to the learner Prosecutor, summoning of these witnesses as additional witness is necessary to prove the prosecution case and to bring the truth before the court and it will not cause any prejudice to the accused.

8. I have heard the Public Prosecutor and counsel for the accused. and perused the records of the case. The petition is opposed by the defence counsel.

9. This petition is filed to summon additional witnesses shown in the list submitted along with the petition. The case is of the year 2012. The Hon'ble High Court as per order dated 19.08.2025 in Crl.R.P. No.17/2022 has directed this court to expedite the trial and finish the same at the earliest, at any rate within a period of 3 months from the date of receipt of copy of the order. The copy of the order was received in this court on 09.09.2025. So, the time limit expires by 09.12.2025.

10. On getting the direction from the Hon'ble High Court, this court heard both sides and charge was framed on 15.09.2025 and the case was posted for scheduling the case for trial to 23.09.2025. On that day, after hearing both sides, the case was scheduled for examination of witnesses from 14.10.2025 to 17.10.2025. So far, PW1 to 10 examined and Ext.P1 to 41 marked. As per the present schedule, 10 more witnesses are to be examined in this case. Examination of that witnesses is proposed to be scheduled from 11.11.2025 to 14.11.2025.

11. This court is engaged in trial of SC 2/2021 (Edakkara Maoist case) in which 15 accused are in remand and the first 10 days of every month is set-apart to that case. The trial of SC 1/2020 (Pantheerankavu Maoist case) wherein in 2 accused are in remand for long time is also in progress and 144 witnesses are examined on the side of the prosecution. 10 days are to be set apart to that case every month. Trial of 7 other cases of the CBI are also in progress and time to be allotted to that cases also every month. So, the time available for disposal of this case is very limited. This case was scheduled for trial after consulting the counsel for the accused and the Prosecutor.

12. Now, the Prosecutor wants to summon additional witnesses. The case is of the year 2012. Trial of 4 connected cases already conducted by my predecessor in office. Since this is a time limit case, for reasons stated in the foregoing paragraphs, entertaining petitions after petitions will only delay the

disposal of the case.

13. On going through the record of the case and hearing the counsel for the accused and the Public Prosecutor, I am of the view that examination of the additional witnesses cannot be said to be inevitable for a just and proper decision of this case. Hence I am not inclined to allow this petition and the petition is only to be dismissed.

In the result, the petition is dismissed.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 21st day of October, 2025.

Appendix: Nil

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

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

//True Copy//

Sd/-
Sheristadar.